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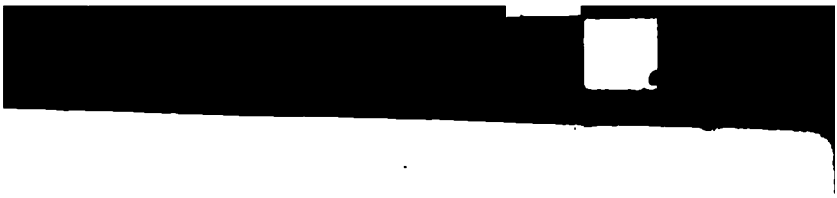

James Chrystal.

☆Estate of Rev James Chrystal
April 6 '09

Bingham

THE WORKS

OF

THE REV. JOSEPH BINGHAM, M.A.

EDITED BY

HIS LINEAL DESCENDANT

THE REV. R. BINGHAM, JUN., M.A.

FORMERLY OF MAGDALENE HALL, OXFORD,

AND

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THE PREFACE OF BUDDEUS

PREFIXED TO

GRISCHOVIUS'S

LATIN VERSION OF THE WORKS

OF

JOSEPH BINGHAM.

ITA tandem multorum satisfieri cœpit votis, qui, ut Binghami ORIGINES ECCLESIÆ alia, quam Anglicana lingua, legi possent, vehementer optarunt. Ex quo enim per varias eruditorum ephemerides innotuit, quanto studio, quanta industria Auctor doctissimus in hocce argumento versatus sit, quam exactam et exquisitam eorum omnium, quæ, ut solide illud pertractaretur, requirebantur, secum attulerit notitiam, non poterant non ingenti cupiditate ad illud legendum inflammari, quotquot antiquitatibus historiæque ecclesiasticæ justum statuere pretium didicerunt. Hi ergo jam invenient, quo suam abunde expleant sitim, dum prima operis hujus pars, in Latinum translata sermonem, omnium se oculis offert, atque deprehendent

[1] [John Francis Buddeus was born at Aclam in Pomerania in 1667. He completed his education at the University of Wittemberg, where he was Assistant-Professor of Philosophy in 1689. He was afterwards Professor of Moral and Political Philosophy at Halle in 1693, and eventually Professor of Theology at Jena in 1705, where he died in 1729. This Lutheran divine was a man of great learning and industry, as his rather numerous works, chiefly on theological subjects, declare. ED.]

nihil tam præclare de eo dictum esse aut dici posse, ut non multis modis illud superet.

Ecclesiasticæ antiquitatis qui contemnunt aut in minimis ponunt cognitionem, se ignaros eorum, quæ theologiæ, immo et jurisprudentiæ, vel maxime inserviunt, demonstrant. Jucundum non tantum est eorum, quæ hinc inde adhuc in nostris Ecclesiis conspiciuntur, cognitam perspectamque habere originem, sed utile etiam, immo necessarium, ut nostræ veterisque Ecclesiæ comparatione instituta, inde discamus, quousque conveniant inter se, aut a se invicem dissentiant. Non is equidem sum, qui veterem Ecclesiam omnis plane nævi expertem fuisse existimem, aut nostræ hanc esse conditionem, ut, ad ritus et cæremonias quod attinet, cum veteri conspirare prorsus in omnibus aut possit, aut debeat: nec tamen iis profecto suffragari possum, qui veterum Christianorum instituta deprimunt nimis et extenuant, eorundemque vestigia quævis remota atque omnino deleta cupiunt. Multa apud eos occurrunt, quæ et pietatem singularem, et fervorem zelumque ardentem pro gloria Dei, et indefessum studium vitæ sanctitatem castitatemque cum doctrinæ puritate conjungendi, demonstrant; quæ quo magis hodie nonnullis, effrenæ vivendi cunctaque pro lubitu agendi libertati faventibus, eumque in finem veterum Christianorum dicta, facta, consuetudines, ritus, aut irridentibus, aut sinistra interpretatione depravantibus, displicent; eo majorem promerentur laudem, qui ea contra, recte explicata et luce majori collustrata, omnium oculis exponunt, ut quo jure aliquid aut laudetur aut vituperetur, rursusque aut ceu spurium rejiciatur, aut ceu genuinum retineatur, quilibet, animum ad hæc advertens, dijudicare queat. Latissime quidem hæc omnia patent, et tum in Ecclesiæ regimine recte instituendo et administrando, tum et illorum, qui se Christianos profitentur, vita moribusque dijudicandis, usum suum demonstrant: accedit tamen, quod ipsa quoque Ecclesiæ evangelicæ doctrina haud leve in antiquitate ecclesiastica præsidium inveniat. Non utique eodem magnopere indigemus, quum Romanensibus ex sola Scriptura Sacra ita obviam ire queamus, ut victas dare manus cogantur; provocandoque ad Ecclesiæ auctoritatem id demum efficiant, ut omnes intelligant, apud verum legitimumque judicem se causa cecidisse. Quum vero illud insuper, quo unice adhuc se tuentur, munimentum, veteris Ecclesiæ auctoritatem, illis itidem eripimus nobisque vindicamus, nostra eo certior non minus, quam clarior et evidentior redditur victoria. Errantque magnopere, si nos hocce pugnæ genus detrectare sibi persuadeant; ad quod eo lubentius potius descendimus, quo eo certiores sumus, potiorem saltem melioremque veteris Ecclesiæ partem a nostris stare partibus. Quæ

omnia ut aliunde constant, ita in hisce ipsis Originibus Ecclesiasticis ita subinde confirmantur, ut quod cordatis et ingenuis harum rerum existimatoribus dubium movere queat, supersit nihil.

Non desunt, fateor, qui in antiquitatibus ecclesiasticis illustrandis operam suam studiumque collocarunt. Ingens cumprimis illorum est numerus, qui partes quasdam singulatim sibi sumpserunt explicandas; quorum præcipuas selectioresque commentationes in Thesauro, quem una cum viro clarissimo, Joanne Georgio Walchio[2], molior, Ecclesiastico, junctim aliquando per Numinis propitium favorem exhibere est animus. Sed paucis admodum tantam librorum multitudinem legere, paucioribus sibi comparare, paucissimis eadem recte uti, datum est. Sunt porro, qui unico velut fasce cuncta complecti, aut integrum quoddam apteque cohærens antiquitatum ecclesiasticarum corpus proferre in lucem conati sunt, ut Joannes Baptista Casalius[3], Guil. Caveus[4], Gothofredus Arnoldus[5], et alii quidam, certe non adeo multi. At, si dicendum quod res est, nemo illorum ita cuncta persecutus est, ut non semper exstiterint, qui plenius aliquod, et exquisitiori studio elaboratum ecclesiasticarum antiquitatum systema desiderarent. Quæ quidem gloria Binghamo nostro reservata videtur; qui, si ad supremum fastigium non pervenit, quod nemini mortalium temere dabitur, omnium tamen, qui ante eum huncce campum ingressi sunt, industriam superavit, et longissime post se reliquit. Conspirant in hocce opere cuncta, quæ pretium ejus augere possunt: tractatio plena, in qua nec desint necessaria, nec superflua tædium creent, ordo concinnus, probationes solidæ, et ex ipsis fonti-

2 [John George Walch was very much younger than Buddeus, who at this time was full fifty-seven years of age. But in the year 1724, when Buddeus wrote this Preface, Walch was Extraordinary Professor of Theology at Jena, and in 1726 Ordinary Professor. He was born at Meiningen in 1693. He died in 1775. Perhaps we owe his *Miscellanea Sacra* (Amstel. 1744,) or his *Bibliotheca Theologica* (Jenæ, 1757,) to his intimacy with Buddeus. I am not aware that any *Thesaurus Ecclesiasticus* is extant, as the joint work of these divines. Ed.]

3 [He was the author of several books on subjects of antiquities, e.g., *De Profanis et Sacris Ritibus Veteribus*, Romæ 1644. 4to. *De Ritu Nuptiarum et Jure Connubiali Veterum, &c.*, in his book *De Tragœdia et Comœdia Lucubratio, &c.*, Lugd. Bat. 1699. 4to. Ed.]

4 [The well known author of the *Historia Literaria*, &c. Ed.]

5 [Geoffrey Arnold, born at Annaberg in Sept. 1665. Died in 1714. He was Minister of Paleberg and Historiographer to the King of Prussia. He is said to have been a very zealous partizan of the sect of the Pietists among the German Protestants. He was the author of *A History of the Church and Some Heresies*, Leipsic, 1700. 8vo. He also wrote *A History of Mystical Theology*, his only work in Latin. See De Feller's Biographie Universelle, vol. 1. p. 298. Ed.]

bus, ubique diligenter indicatis, haustæ, perspicuitas summa, omni proscripta obscuritate.

Nec offendet, puto, quenquam, quod Auctor doctissimus sententias, auctoritatis episcopalis seu hierarchiæ in Anglia defensoribus proprias, defendat. Hisce enim partibus quum ipsemet addictus sit, nemo ei hoc vitio vertere poterit. Quod si etiam, qui cum hisce faciunt, in veteris Ecclesiæ institutis ad sua placita flectendis nimii sunt, in idem tamen haud raro incurrunt vitium, qui illis, sæpe sine prægnanti ratione, sese opponunt. Præterea, quum utraque pars in veteris Ecclesiæ disciplina et institutis causæ suæ præsidium quærat, illud ex hisce certaminibus extitit commodum, ut scriptis subinde egregiis nova lux antiquitatibus ecclesiasticis affunderetur, certe majori studio ac industria in iis eruendis ac investigandis viri quidam eruditi versarentur, quam forte cæteroquin factum fuisset. Certe inter eos, qui pro episcoporum auctoritate et veteri disciplina retinenda militarunt, viros fuisse exquisita rerum veteris Ecclesiæ notitia imbutos, Joannis Pearsonii, Henrici Hammondi, Henrici Dodwelli, aliorumque, quorum nomina orbis eruditus veneratur, exempla testantur. Binghamo vero nostro hoc præ reliquis proprium est, quod magna animi moderatione judicioque singulari in hisce omnibus versetur, adeo ut, si in quibusdam emendatione quadam opus habet, longe plurima contra sint, ex quibus insignem lector capere queat utilitatem.

Ut exemplis quibusdam, quæ diximus comprobemus, quando Auctor (l. 1. c. 5.) *de Distinctione inter Laicos et Clericos*[6], verba facit, antiquitatem simul hujus distinctionis evincere annititur. Eum in finem primum producit testimonium Clementis Alexandrini[7]: tum vero ulterius progreditur, et ab Ecclesia Judaica originem suam ducere asserit; idque hocce Clementis Romani[8] testimonio confirmat: *Τῷ ἀρχιερεῖ ἴδιαι λειτουργίαι δεδομέναι εἰσί· καὶ τοῖς ἱερεῦσιν ἴδιος ὁ τόπος προστέτακται, τοῖς Λευίταις ἴδιαι διακονίαι ἐπίκεινται· ὁ λαϊκὸς ἄνθρωπος τοῖς λαϊκοῖς προστάγμασιν δέδεται. Summo sacerdoti sua munera tributa sunt, sacerdotibus locus proprius assignatus est, et Levitis sua ministeria incumbunt: laicus præceptis laicis constringitur.* (Ep. 1. ad Corinth. n. 40.) Quemadmodum vero in eo, quod a Judæis, apud quos sacri ordinis viri specialiori quodam sensu *Sors Dei* dicebantur, distinctionis hujus derivanda sit origo, me aliosque facile secum consentientes habet; ita non æque omnes inter se conveniunt, quando, et qua ratione, eadem ad Christianos sit translata. Enimvero, si testimonio

[6] [Vol. 1. pp. 36–45.
[7] Quis dives salvetur. See ibid. p. 36. n. 76.
[8] Ibid. p. 37. n. 77. Ed.]

Clementis Alexandrini locus concedatur, circa finem sæculi secundi eam in usu fuisse, inde colligetur, quod et Tertulliani auctoritate, si opus esset, confirmari posset. Ex Clementis autem Romani verbis id quidem conficitur, in Ecclesia Judaica hocce inter clericos et laicos discrimen obtinuisse, quod et positum est extra controversiam; apud Christianos id jam ea ætate in usu fuisse, nec Clemens dicit, nec ideo hocce comprobari potest effato. Scopus enim ejus atque totus sermonis nexus ostendunt eum, Ecclesiæ Judaicæ exemplo, tantum ostendere voluisse, ordinem certum in Ecclesia quoque Christiana observandum esse. Quod si itaque probari nequit, tempore Clementis Romani hancce distinctionem atque appellationem in usu fuisse; multo minus asseri poterit eam ab ipsis Apostolis originem ducere, quod præeunte Cæsare Baronio, contendit Petrus de Marca, in Dissertatione *de Discrimine Clericorum et Laicorum*; refutante et rejiciente hanc sententiam beato Christiano Kortholto nostro[9], in *Disquisitionibus anti-Baronianis*; (Disquisit. 5. §. 4. p. 151.)

Atque hæc quum ita se habeant, valde dubito, an doctissimus Binghamus noster distinctionis hujus veritatem, contra Rigaltium, Salmasium, Seldenum, satis in tuto, quod pollicetur, collocaverit[10]. Enimvero, discrimen aliquod inter eos, qui docentium munere aut aliis Ecclesiæ ministeriis fungebantur, et reliquos, qui nullum sibi impositum habebant officium, fuisse, ipsa ratio docet; indeque clarissime evincitur, quod Servator certas in Ecclesia functiones constituerit, docente Apostolo, Eph. 4, 11. Quare si quis *clericorum* et *laicorum* vocibus, nihil aliud, quam quod inter docentes et auditores, aut eos, qui certis muneribus funguntur vel iis non funguntur, intercedit, denotare vellet; tum quidem ipsum hocce haud dubie a divina institutione derivandum esset discrimen; parumque referret, quando demum voces istæ ad illud significandum adhiberi cœpissent.

9 [I do not meet with any account of these *Disquisitions against Baronius*. Christian Kortholt the Elder certainly was not the author of any such book; and from the expression *nostro* it is evident that Buddeus speaks of a contemporary and a member too of the same University. Such was Christian Kortholt the Younger, the grandson of the former and son of Sebastian Kortholt, who succeeded his father in the professorship at Kiel. The Younger Kortholt was born in that city in 1709; and such were his attainments in early life, that when only twenty years of age he was admitted to the Journal of Leipsic, and therein are many good pieces of his writing to be found till 1736. He was afterwards Chaplain to the Danish Ambassador at Vienna, and was appointed in 1742 Professor of Divinity at Gottingen, where he died in 1751. His best work was entitled *De Ecclesiis Suburbicariis*. See more in Chalmers, vol. 19. p. 422. Ed.]

10 [Bearing in mind the low church views which Buddeus entertained of a hierarchy, we shall estimate the following passage accordingly. Ed.]

Quum vero, ut antea observavimus, et Auctor eruditissimus fatetur, ex Ecclesia Judaica voces istæ derivatæ sint, et altera quidem, seu vox *clericus* singularem quandam *ἐξοχὴν*, ministris Ecclesiæ in Novo Testamento non debitam, et cum quodam illorum, qui *laici* dicuntur, contemptu conjunctam, indicare videatur, aliter censendum esse res ipsa ostendit. Non equidem puto, id sibi voluisse, qui primum hisce vocibus in Ecclesia usi sunt; fierique potuit, ut innocenti hoc facerent consilio, nec sacri ordinis viris aliam, quam quæ jure illis tribuitur, vindicare vellent dignitatem. Occasionem tamen hinc enatam non diffiteor, qua sequiori ætate nonnulli ad imperium aliquod in reliquos, sacri ordinis viris vindicandum, abusi sunt. Horum enim ambitioni quum, sub Romanorum Pontificum tyrannide, nec modus nec finis poneretur, peropportunum illis hocce accidebat discrimen, quo *clerici*, uti vocabantur, velut supra humanam sortem evecti, *laicos*, ceu infra eandem positos, contemnebant, et alto despiciebant supercilio. Et hactenus quidem distinctionem hancce inter causas, quæ imperio potestatique Papali incrementum dederunt, me non invito referre licebit. Nec tamen hoc obstabit, quo minus in sano sobrioque sensu in Ecclesiis Protestantium retineatur; ut ea nihil aliud, quam, quod ex ipso docentium munere oritur, discrimen innuatur. Voces istas si quis ferre nolit, per me quidem non stabit, quo minus abrogentur, modo res ipsa secundum divinam institutionem salva maneat. Nec enim super iis magnopere cum quoquam contendendum existimo.

Dum Auctor noster in eo est, ut discrimen inter clericos et laicos edisserat, ad celeberrimum illud Petri Apostoli [11] effatum devolvitur, quo presbyteros adhortatur, *Ne dominentur cleris*, *μήδ' ὡς κατακυριεύοντες τῶν κλήρων*, observatque post alios, verba hæcce tam bona Ecclesiæ quam ipsum populum significare posse. Recte itaque ab illis episcopalis auctoritatis defensoribus discedit, qui *τῶν κλήρων* nomine ordines sacros inferiores denotari putant, ut adeo suprema episcoporum potestas hic vel maxime stabiliatur. Quod tamen quam absonum sit, vel inde intelligitur, quod Apostolus statim addit,— *Ἀλλὰ τύποι γινόμενοι τοῦ ποιμνίου*, *Sed qui exempla sitis gregi*. Per *τοὺς κλήρους* eosdem intelligi, quos *τοῦ ποιμνίου* seu *gregis* nomine designat, oppositionis ratio docet. At per *gregem* non clericos inferioris ordinis, sed omnes generatim, qui ecclesiam constituebant, significari, vel inde manifestum est, quod hisce non minus, quam illis, vitæ sanctitate ac integritate exemplum præire episcopus debeat, ad quod sese componant. Atque consentit hac in re nobiscum eru-

11 [1 Pet. 5, 3. See Antiquities, as before, v. 1. p. 38. Ed.]

ditissimus Auctor noster, τῶν κλήρων nomine ipsum hic venire populum: sed addit, *Nihil tamen dicunt amplius* (qui populum intelligunt) *quam quod de populo Israëlitico legimus, qui vocabatur Dei* κλῆρος et λαὸς ἔγκληρος, "Dei hæreditas" et "Populus possessionis." (Deut. 9, 29; 4, 20.) *Sicut et Judæi et Christiani erant in oppositione Gentilium; hoc non obstante, Deus peculiarem in populo suo habebat* κλῆρον, *qui ipsius sors erant et hæreditas, et hoc nomine distincti a laicis, hoc est, reliqua multitudine.* At vero licet distinctionis hujus origo a Judæis peti queat, non eodem tamen modo sensuque eam apud Christianos locum invenire antea monuimus. Atque hinc reliqua, quæ clarissimus Auctor dicit, facili negotio dijudicari possunt.

Accedimus ad id, quod caput causæ est, et de quo vel maxime inter episcopalis potestatis propugnatores, et eos qui eidem adversantur, disceptari solet, originem episcoporum, et eorundem a presbyteris distinctionem; de qua Auctor, (l. 2, c. 1,) verba facit [12]. *Talem*, inquit [13], *distinctionem in Ecclesia semper fuisse observatam liquet ex plerorumque veterum scriptorum testimoniis, qui de episcopis, presbyteris, et diaconis, tanquam distinctis in Ecclesia gradibus, et de duobus quidem posterioribus, ut primo subordinatis, loquuntur.* Lubens fateor statim post Apostolorum tempora distinctionem hanc inter episcopos et presbyteros exortam esse, adeoque longe esse antiquissimam. Quum enim quibusdam in locis plures essent presbyteri, et vero inter hosce ordo aliquis observandus esset, non poterat non, qui primus inter eos erat [14], ἐξοχὴν quandam præ reliquis obtinere. Quæ quidem ἐξοχὴ quum sola virtutis, integritatis, sanctitatisque præstantia niteretur, ut ab imperio et auctoritate potestateque magistratui propria quam longissime aberat, ita veneratio quædam equidem, minime autem obsequium, vel etiam munerum aut præstationum diversitas, illi ex parte reliquorum presbyterorum respondebat. Præterea quum illi quibus Ecclesiæ salus curæ cordique erat, perspicerent hanc unius presbyteri præ reliquis ἐξοχὴν ad concordiam conservandam funestasque evitandas dissensiones valere plurimum, eam non approbarunt solum sed commendarunt vehementer, eosque, qui ei se opponerent, objurgarunt. Nec erat, quod ea in re reprehendi poterat, si intra primos limites substitisset. Hos vero quum migrarent, quibus honoris commodorumque suorum potior cura erat, quam salutis Ecclesiæ; mirum non est, brevi temporis spatio episcopalem auctoritatem tantum cepisse incrementum, ut non modo presbyteris multum se superiores esse contenderent, sed præstationes

12 [See vol. 1. pp. 46—59. 13 Ibid. s. 2. p. 48.

14 The argument for the view of a *primus inter pares* which virtually denies episcopacy as a separate order, and regards a bishop as a ruling elder only. Ed.]

quasdam functionesque ita sibi vindicarent, ut presbyteris easdem obire fas esse negarent diserte. Jam ad Veterum testimonia quod attinet, ejusmodi distinctionem, quam proxima post Apostolos ætate inter episcopos et presbyteros fuisse diximus, omnino confirmant, plura inde non elicias.

Testimonia Ignatii, ita Auctor eruditissimus pergit [15], *huc facientia tam firma sunt atque luculenta, ut nihil unquam adversus ea afferri potuerit, nisi quod non sint genuinæ antiqui istius auctoris reliquiæ; ad quod vero a viris doctis toties responsum fuit, ut isti opinioni cum ratione nemo amplius inhærere possit.* Verissimum utique est Ignatii tam luculenta esse testimonia, ut iis refragari non liceat. Nec hodie quisquam harum rerum peritus temere invenietur, qui Epistolas istas pro spuriis minusque genuinis habeat. Nec tamen aliud quid inde condiscas, quam tempore Ignatii jam discrimen aliquod inter episcopos et presbyteros obtinuisse, ejusmodi videlicet, quale statim post Apostolorum tempora, aut forte circa extremam illorum ætatem, exortum antea docuimus. Atque hoc modo reliqua etiam, quæ Auctor affert, testimonia recte sese habent.

Quum vero ulterius asserit *ordinem episcoporum ab Apostolis institutum*, præter episcopalis potestatis in Anglia propugnatores, (de Romanensibus enim ut quidquam dicam, necesse non est,) paucos forte secum consentientes habebit. Non tantum enim nullum hujus rei in Scriptura Sacra exstat vestigium, sed contra, eosdem plane et episcopos et presbyteros tempore Apostolorum fuisse innuitur. Certe presbyteros etiam *episcopos* dictos ex Act. 20, 17 et 28, condiscimus. Iidem enim presbyteri, quos Epheso ad se arcessivit Paulus, ver. 17, diserte *episcopi* vocantur, ver. 28. Sic et quum Paulus jussisset, ut Titus *oppidatim constitueret presbyteros idoneos, qui essent inculpati, tanquam dispensatores rerum divinarum, non luxu infames, aut contumaces*, (Tit. 1, 5, 6,) statim rationis loco subjicit, quod tales deceat esse episcopos. Qui pro episcopatus origine divina pugnant, simul asserere solent unius urbis unicum tantum esse posse episcopum. At Ephesi plures fuisse episcopos itidem ex Actor. 20, 17—28, patet. Nec est, quod excipias, non Ephesinæ solum sed aliarum simul Asiæ urbium episcopos intelligi. Ejus enim rei nullum apud Lucam deprehendimus vestigium. Accedit, quod et ex Philipp. 1, 1, recte colligatur, Philippis quoque plures fuisse episcopos, seu, quod perinde est, plures presbyteros, qui et *episcopi* dicti sint, et qui omnes fuerint æquales. Quum vero etiam Actor. 20, 17—28, de episcopis seu presbyteris dicatur, quod *attendere gregi et pascere ecclesiam Christi* debeant, unum omnium

[15] [Ibid. p. 48. Ed.]

faisse officium, nec episcopos peculiare aliquod præ presbyteris habuisse, inde edocemur [16]. Idque confirmat Petrus, quando inquit, *Presbyteros obsecro ego compresbyter* (συμπρεσβύτερος), *pascite gregem, qui in vobis est.* (1 Ep. 5, 1, 2.) Ubi, quum se συμπρεσβύτερον appellitet, et tamen episcopos alloquatur, nullum inter presbyteros et episcopos eum constituisse discrimen manifestum est. Diserte quoque, quod episcoporum munus est, *pascere gregem* presbyteris tribuit. Atque, hæc quum ex Sacris Literis constent, testimonia scriptorum ecclesiasticorum, quæ episcopatus originem ab apostolica derivare institutione videntur, non multum nobis facessent negotii: quanquam si paulo accuratius considerentur, nec nostræ repugnent sententiæ.

Iidem auctores, inquit Binghamus noster [17], *cæteris omnibus consentientibus declarant, non esse eum* (episcoporum ordinem) *ab hominibus inventum, sed initio ab ipsis Apostolis ex divina ordinatione constitutum.* Episcoporum ordinem, in se spectatum, non esse ab hominibus inventum, sed ab Apostolis, quin ipso Christo institutum, lubentes fatemur, idque nos ipsemet condocet Apostolus, Eph. 4, 11. Sed quæstio est de ejusmodi ordine episcoporum, qui a presbyterorum ordine non tantum distinctus, sed eodem etiam multum est superior, ita ut munera quædam illi tribuantur, quibus presbyteris fungi non licet; quem si secundi tertiive sæculi Patres apostolicæ constitutioni tribuerent, mirum equidem id non esset, cum jam e tempore episcopi se supra presbyteros efferre inceperint; facileque contingere potuerit, ut eam quam animo conceperant, episcopi notionem in Ecclesia apostolica se invenisse sibi persuaderent: nec tamen istud ex illorum, quæ proferuntur, testimoniis colligas. Provocat Auctor [18] ad illud Tertulliani: *Ordo episcoporum, ad originem recensus, in Joannem stabit auctorem* [19], (Adv. Marcionem, l. 4. c. 5.)

16 [This argument against the Author's use of Act. 20, 17—28, is surely not of much weight. If these elders were *presbyters* literally in our sense and only so, then, I grant, Paul terms them *bishops*, or rather *overseers*, as they overlooked and watched for their respective flocks. But it is scarcely likely that Ephesus alone had so many pastors already at that time of day. Is it not more probable that the *chief ministers* or *ruling elders* of Ephesus and the regions around had assembled at the metropolis expecting that Paul might meet them there, which being unable to accomplish, he summoned them to the sea-coast, and so held a council of *chief pastors* or *real bishops* at Miletus? Ed.]

17 [Ibid. s. 3. vol. 1. p. 51.

18 Ibid. Vid. nn. 46, 47. Ed.]

19 [I may take this opportunity of replying to a most needless stricture, which Dr. George Campbell, in his Lectures on Ecclesiastical History, (Aberdeen, 1815, v. 1. p. 169.) has thought proper to pass on the way in which my Ancestor has

Addit: *Quocum exacte congruit, quod Clemens Alexandrinus de eo* (Joanne) *memoriæ prodidit, nimirum quod, quum ex insula Patmo Ephesum rediisset, ad finitimas quoque provincias se contulerit, ut episcopos constitueret, et homines sibi a Divino Spiritu indicatos in clerum quendam seu sortem Domini seponeret;* (In libro, Quis dives salvetur? p. 185.) Verum Clementem Alexandrinum in hisce verbis nihil aliud dicere video, quam, Joannem, cum ex Patmo insula Ephesum rediisset, in provinciis finitimis episcopos constituisse. Num tales, qui a presbyteris fuerunt distincti, iisque multum superiores? Id vero Clemens non dicit; nec ex verbis ejus hoc colligere possum. Alibi equidem, (scilicet Pædag. l. 3. c. 12.) presbyterorum episcoporum, et diaconorum ita mentionem facit, ac si jam tempore Joannis ista ordinum distinctio in usu fuerit: quemadmodum autem ibidem presbyteros ante episcopos ponit, ita si vel maxime aliquale discrimen, Joannis tempore, inter episcopos et presbyteros existere cœpisse largiamur, nondum tamen inde consequi, discrimen hoc apostolica niti constitutione, ex iis quæ dicemus constabit. Tertullianus nimi-

happened to render these words of Tertullian,—*The order of bishops, when it is traced up to its original, will be found to have St. John for one of its authors.*

'It was doubtless,' says Dr. C., 'the distinction of one pastor in every church, marked by this Apostle, though not made by any who had written before him, which has led Tertullian, whose publications first appeared about a century after the Apostles, to consider him [St. John] as the institutor of episcopacy. These are his words,—*Ordo &c.*; which Bingham translates thus,—*The order of bishops &c.*; a palpable misinterpretation of our antiquary. Tertullian says expressly, *Our inquiries into the origin of the episcopal order terminate in John the author.* Had that Father said, *Mundus ad originem recensus in Deum stabit creatorem*, would Bingham have rendered it, *The world, when it is traced up to its original, will be found to have God for one of its authors?* I cannot allow myself to think it. Yet the interpolation in rendering *creatorem one of its creators*, is not more flagrant than in rendering *auctorem one of its authors.* By this version he avoids shewing, what is extremely plain from the words, that Tertullian did not think there was any subordination in the pastors of the churches instituted by the other Apostles.'

I confess I do not quite comprehend Dr. Campbell's drift, except that he seems to take great pains in setting up a man of straw for the purpose of knocking him down. But I fancy my learned Ancestor understood Tertullian much better, and could translate his hard Latin much more correctly, than Dr. C. himself appears to do; and surely the merest tyro might be justly reproved for rendering *stabit in Joannem auctorem* by *will terminate in John the author!* The author of what? Perhaps if my Ancestor had written *will rest in John*, or *with John as an author of it*, he would have rendered the place somewhat more [illegible]. But if so, if John were *an author of episcopacy*, or *an authority for it*, what does that mean but that he was *one of its authors* or *founders*? Now *that* [illegible] what Tertullian does mean, though Dr. C. does not seem to think [illegible] with the scholarship of another, he betrays the want of

rum Joanni episcopalis ordinis originem tribuere videtur. Quo jure, nescio; nec satis perspicio, quid sibi velit, quum verba ejus sint obscuriora. Certe et Paulum jam antea presbyteros, quos et episcopos dictos jam docuimus, constituisse Actor. 14, 23, legimus; immo Tito, ut idem in Cretæ insulæ urbibus faceret, mandasse. (Tit. 1, 5.) Idem si et Joannes fecit, nihil fecit, quod non et alii fecerunt Apostoli; adeoque non video, cur ordinis episcopalis auctor dici debeat. Aliter si hoc intelligat Tertullianus, et de ordine episcoporum ab ordine presbyterorum distincto loquatur, primum quidem, an ejus hic unice standum sit auctoritate, merito quis dubitaverit. Quod si tamen quis concedat, quod supra etiam significavimus, forte circa finem ævi apostolici, vivente adhuc Joanne, discrimen aliquod inter episcopos et presbyteros, usu et consuetudine invaluisse, istudque institutum, utpote ad ecclesiarum commodum comparatum, calculo suo approbasse Joannem; porroque contendat, hoc sensu Tertullianum episcopatus originem ad Joannem retulisse; non magnopere repugnabimus, quum rursus inde non sequatur episcopalem ordinem, eo sensu intellectum, ex apostolica constitutione originem suam ac-

accuracy in himself. In fact, if Dr. C. would draw an argument against episcopacy and in favour of presbyterianism from the passage of Tertullian, it is he who perverts and misapplies, and not the author of the Origines, who knew far better what he was doing. However, I would add in the Doctor's own words, that *the distinction of one pastor in every church* is in truth just what episcopacy originally was and ought to be. A bishop's diocese, which primitively was styled *a parish*, was *the one church* where the ruling elder was *distinguished* from all others by holding office over the rest and having rank above them, for the government of the people and control of the subordinate presbyters in charge respectively of the subdivisions of *that one great parish* in the details of their own peculiar cures.

I would just observe, too, that I quite agree with Dr. Campbell that JOSEPH BINGHAM would never have rendered *Mundus &c.*, by *will be found to have God for one of its authors*. I should think not indeed! Had my Ancestor been called upon to translate such an awkward sentence, he would have said,—not, *Will be found to terminate in God the author*,—but, *Will be found to have God for its author*. Accordingly I could wish the passage from Tertullian had been rendered just so, *mutatis mutandis*; but, however, that is exactly what my Ancestor did mean to say by the phrase, *Will be found to have St. John for one of its authors*; and he purposely translated the place as he has done, lest he should seem to make Tertullian say too much by a phraseology implying that the African Father spoke of John as the only author of episcopacy, which was not his meaning, who knew full well that other Apostles were authors of it likewise, and St. John only one among many.

The subject is scarcely worth so long a note, and yet the Doctor's critique is too unjust for me to have passed it by without this defence of the Author so unreasonably blamed. ED.]

cepisse. Dudum enim antea ejusmodi Ecclesiæ regimen, in quo nulla episcoporum præ presbyteris fuit ἐξοχή, obtinuit; quodve usu et consuetudine introductum calculo suo approbavit Joannes, id minime ipsemet apostolica auctoritate instituisse dici potest.

Quum ea, quæ Auctor subjicit, et ex allatis istis testimoniis concludit, ex dictis dijudicari queant, de Irenæo tantum quædam observabimus. *Irenæus*, inquit [20], *in eandem sententiam mentem suam declarat, Apostolorum tempore tam episcopos quam presbyteros fuisse in Ecclesia. Conventum enim in Mileto dicit episcopis constitisse et presbyteris, qui ab Epheso et a reliquis proximis civitatibus Asiæ* [21] *eo coiissent*, (l. 3. c. 14.) Verum, quum Irenæus ibi ad ea respiciat, quæ Lucas Actor. 20, 17, seqq. refert, dispiciendum, utrum, quæ dicit, cum narratione sacri scriptoris consentiant, an minus? Si consentire dicas, admittas quoque necesse est, eum vocibus *episcopis* et *presbyteris* συνωνυμικῶς usum; quum Lucam eas ita usurpasse longe sit manifestissimum. Si non consentiat, cui magis credendum, Lucæ, an Irenæo? Atque sic quidem in eo quoque errat, quod episcopos et presbyteros non modo ab Epheso, sed a reliquis proximis civitatibus, Miletum convocatos dicit: quod apud Lucam non exstat; quippe qui tantum presbyterorum, quos Epheso Miletum arcessiverit Paulus, meminit. Comprobari autem hoc Irenæi exemplo potest, quod antea observavimus, veteris Ecclesiæ doctores haud raro, quam ipsimet animo conceperant episcoporum imaginem, horumque a presbyteris distinctionem, incaute admodum ævo apostolico tribuisse, licet inde tam procul nondum remota esset, quam sequenti factum est tempore. De Irenæo hæc equidem porro Auctor doctissimus subjicit [22]: *Favens igitur huic hypothesi, episcoporum successionem eorumque originem ubique ab Apostolis deducit. Ut quando Hyginum nonum locum episcopatus per successionem ab Apostolis habuisse dicit. Et alio loco, exhibens nobis accuratum catalogum duodecim episcoporum Romanorum, qui usque ad ipsius ætatem successive isti sedi præfuerunt, de Lino eorum omnium primo, dicit eum ab ipsis Apostolis, Ecclesia primum fundata, episcopum esse ordinatum; et de eorum postremo Eleutherio, eum duodecimo loco episcopatum ab Apostolis habuisse.* Exhibet deinceps sect. 4.[23] *Indicem seu catalogum episcoporum primum ab Apostolis ordinatorum.* Sed nec hæcce nostram evertere aut labefactare possunt sententiam. Quum enim concedamus, immo lubentes profiteamur, a Paulo aliisque Apostolis hinc inde presbyteros in Ecclesiis a se plantatis constitutos fuisse; et

[20] [Ibid. p. 51. n. 50.
[21] See my suggestion at n. 16, preceding.
[22] Ibid. p. 52. n. 51.
[23] Ibid. pp. 53, seqq. Ed.]

vero, aut circa finem ævi apostolici, aut statim post illud, primo præcipuoque presbyterorum, ubi plures erant, nomen episcopi, quod omnibus antea commune fuit, *κατ'ἐξοχὴν* hæserit; nihil obstat, quo minus in quibusdam Ecclesiis successio episcoporum ab uno quodam, ab ipsis Apostolis constituto, repetatur. De ipsa primorum, qui Romæ fuisse dicuntur, episcoporum successione multa adhuc disputari solent, quæ hujus loci non sunt.

Quæ Auctor noster doctissimus, libri secundi capite secundo [24], de diversis honorum titulis, quibus in primitiva Ecclesia episcopi ornati fuerint, disserit, prorsus egregia sunt, rebusque obscurioribus lucem affundunt. Quum docuisset, veterumque testimoniis comprobasset, omnes episcopos primum vocatos *apostolos*, deinde *apostolorum successores*; recte inde concludit probatque unamquamque episcopi sedem apostolicæ sedis nomine venisse; fallique adeo magnopere, qui hancce appellationem soli episcopo Romano vindicare annitantur. Offendere quenquam posset, quod olim episcopi etiam *principes populi*, itemque *principes ecclesiæ*, *ἄρχοντες ἐκκλησιῶν*, appellati sint. Nec tamen puto, eos qui istis nominibus usi sunt, imperium aliquod aut potestatem civilem iis tribuere voluisse, quippe quam ab Apostolorum, et qui in eorum locum successuri essent, munere longissime abesse, ipse Servator voluit. Nimia episcoporum veneratio ejusmodi voces quibusdam extorsit, quæ tamen ut ad alendam ac fovendam episcoporum ambitionem plurimum valebant, ita non negaverim, eas reliquis causis accessisse, quæ effecerunt ut ex episcopis imperantes rerumque domini fierent. Quemlibet episcopum olim *papam*, sive *patrem* dictum, notum est. Nicephorus equidem fidenter asserit, Cyrillum Alexandrinum primum istius regionis episcopum fuisse, cui honor iste obtigerit, ut *papa* salutaretur; et quidem ideo, quod Cælestini papæ, seu Romani pontificis, in Concilio Ephesino fuerit legatus. Scriptores vero Arabici Homaidius et Abubacrus Habbasides aliter sentiunt, idque nominis patriarchæ Alexandrino primum datum, et postea Romam delatum esse, contendunt; hoc ipso significantes, Romanos pontifices appellationis hujus privilegium perperam sibi solis vindicare. Sed Auctor noster luculenter demonstrat non uni alicui episcopo aut patriarchæ hocce nomen olim fuisse tributum, quin potius communem omnium fuisse appellationem; quippe qui *ecclesiæ patres* itemque *patres clericorum* dicti sint; *papam* autem nihil aliud significare, quam *patrem*: immo Tertullianum (in Libro de Pudicitia, c. 13.) de episcopo quodam, pœnitentes recipiente, loquentem, eum *benedictum papam* appellitare. Ejusdem generis est,

[24] [Ibid. pp. 60–72. Ed.]

quod itidem præclare docet, non solis episcopis Romanis, sed et aliis quandoque *patris patrum* et *episcopi episcoporum* nomen datum. Unde rursus maximopere falluntur Romanenses, quando, in ejusmodi appellationibus singulare causæ suæ se invenisse præsidium, sibi persuadent. Immo et hoc addit Auctor, atque luculenter evincit, omnes episcopos olim *vicarios Christi* nuncupatos esse: *Quæ appellatio*, inquit [25], *non minori eis jure competebat, quam illis qui, posterioribus temporibus, eam sibi solis vindicare ausi sunt.* Quo ipso iterum Romanensibus argumentum eripitur, quo ad tuendam Pontificis sui supremam potestatem uti illis solemne est. Ultimo denique loco observat, episcopos etiam *angelos ecclesiæ* dictos, et hinc verbis Apostoli, 1 Cor. 11, 10, de quibus acriter viri docti inter se disputant, lucem affundit.

Atque hæc eum in finem a nobis allata sunt, ut præstantiam operis hujus omnes inde intelligerent; et licet eruditissimus Auctor aliquando Ecclesiæ suæ placita sequatur, hæc tamen non obstare, quo minus plurima inde ad omnes, qui illud legerint, redundare queant commoda. Id certum positumque extra controversiam, nullum in hoc genere exstare scriptum, quo integra velut totius antiquitatis ecclesiasticæ imago exhibeatur, quod cum hocce comparari, multo minus eidem præferri queat. Hinc et nullus plane dubito, quin vir ille clarissimus, qui in Latinum sermonem ex Anglicano illud transtulit, omnibus, qui hasce literas recte æstimare didicerunt, rem fecerit longe gratissimam. Eoque majori laude dignus est, quo exquisitiorem adhibuit diligentiam, ut mentem sententiamque accurate non minus, quam perspicue et eleganter, exprimeret. Immo ne quid deesset, quod librum huncce omnium usibus aptum redderet, testimonia Patrum ab Auctore laudata ipsemet evolvit, et, ut summa fide exhiberentur, omnem navavit operam.

Plura non addo, quum ipsa operis hujus lectio, quid ex eo sperandum aut exspectandum sit, quemlibet omnium optime condocere queat. Scribebam Jenæ, die 11 Febr. 1724.

JOAN. FRANCISCUS BUDDEUS,
Theol. D. et P. P. O.

[25] [Ibid. pp. 70 et 71. ED.]

THE PREFACE OF GRISCHOVIUS

TO THE FIRST PART OF HIS LATIN VERSION OF

THE ORIGINES ECCLESIASTICÆ.

QUANDO ipse celeberrimus harum ORIGINUM sive ANTIQUITATUM ECCLESIASTICARUM, quarum libri duo priores, in Latinum sermonem a me translati, nunc in publicum prodeunt, Auctor de tota instituti sui ratione lectorem, quantum satis est, monuit; Venerandus etiam Theologus Jenensis, D.D. Jo. Franc. Buddeus, in Præfatione sua, in laudem et commendationem hujus operis, multa præclare et vere dixit; non est, quod aliqua hujuscemodi monitionum accessio a me expectetur. Pauca tamen habeo, quæ ad hanc Latinam editionem præcipue attinent, non omnino prætermittenda.

Primum quidem de libri versione Benevolo Lectori asseverandum duxi, me in ea adornanda id egisse fideliter, ut verbis Auctoris mei non tantum alienum sensum ne darem, sed ut ea etiam perspicue et plane redderem. Quod an ubique satis feliciter et ex sententia a me præstitum sit, alii utriusque linguæ callentes judicabunt. Qui sicubi me aberrasse deprehendent (neque enim, ut cum Auctore loquar, mihi adeo *Suffenus*[26] sum, ut hoc a me alienum putem); veniam mihi

26 [Suffenus was a poetaster of the age of Catullus, as remarkable for his bad verses as he was for the most exalted notions of his own abilities. Consequently he was the butt for the just ridicule of his contemporaries. See Catullus, (Epigr. 22 ad Varrum,) where he thus speaks of him:—

Suffenus iste, Varre, quem tarde nosti,
Homo est venustus, et dicax, et urbanus,
Idemque longe plurimos facit versus.
.....
Hæc cum legas, tum bellus ille urbanus,
Suffenus, unus caprimulgus aut fossor
Rursus videtur; tantum abhorret et mutat.
.....
Idem inficeto est inficetior rure
Simul poemata attigit, neque idem unquam
Æque est beatus ac poëma cum scribit;
Tam gaudet in se, tamque se ipse miratur.

eo confidentius promitto, quod Belgicæ Versionis auctor[27], ipsa natione et lingua Anglus, et idoneus alioquin popularis sui interpres, hic ibi errasse[28] mihi observatus est. Taceo, quod semel atque iterum quædam omissa[29] esse viderim. Latinitatis studiosus quidem, sed non superstitiose tenax fui. Christianis enim, quorum in ritus et consuetudines commentatus est Auctor noster, nomina et res multæ peculiares atque propriæ sunt, auctoribus, ut vocantur, classicis ignotæ, quæ idcirco horum vocabulis et phrasibus non semper perspicue satis reddi possunt. Malui igitur nonnunquam minus Latine quam minus significanter loqui.

Deinde de testimoniis, ab Auctore allegatis, nonnihil dicere visum est. Clarissimus videlicet Binghamus ad calcem cujusque paginæ bene multa auctorum loca notavit, quibus relationes suas superstruxit. Ex his quidem nonnulla, præsertim ea, quæ ex Patribus et Auctoribus Latinis citavit, Lectoris conspectui plene interdum, ut plurimum autem carptim descripta, exhibuit. Pleraque vero nominavit tantum, ab ipso Lectore evolvenda. Qua de re, ubi ad translationem jam aggressus eram, me quidam monuerunt, sibi non utile tantum sed necessarium etiam videri, ut omnia testimonia integre exscriberentur. Paucissimis enim datum esse, ut tot libros evolverent, in eorumque allegatis locis probationes quærerent examinarentque, adeoque Lectorem non posse non manere dubium, an ea, quæ Auctor

Muretus would read *Fusenus* for *Suffenus*. It is remarkable that the name, though given in the earlier editions of Lempriere, is omitted in the later, neither is it noticed in Mr. Smith's Dictionary of Greek and Roman Biography, London 1849. I may take this opportunity of remarking, how much it is to be regretted that in numerous Biographical Dictionaries and Gazetteers various names, which are regarded as unimportant, have been cut out or omitted for the sake of economising space and stinting letter-press and paper. Yet the record of every name, however humble, may sooner or later have its use. Ed.]

27 [I have ascertained through a literary friend that a Dutch version of the first two volumes of the Origines Ecclesiasticæ by an anonymous translator was published at Amsterdam in 1720, and is still extant in the libraries of Holland. I apprehend that, its utility becoming neutralized on the Continent by the superior Latin version of Grischovius, it was for that reason carried no further. Ed.]

28 Vide e. g. lib. 2. c. 11. s. 3. [vol. 1. p. 134. of this edition,] *For in Afric at the time of the Collation of Carthage, &c.*, ita contra sensum reddidit: *Want als in Africa het Bisdom van Carthago stond begeeven te worden.*

29 Vide lib. 2. c. 3. s. 5. [ibid. p. 77.] ubi hæc, *Which was always performed by a synod of bishops*, non vertit. Item lib. 2. c. 10. s. 2. [ibid. p. 124.] omissa sunt, *For strangers, who were unknown to the people, were not reckoned qualified by the canons.* Lib. 2. c. 15. s. 1. [ibid. p. 170.] desunt hæc: *And from this he had the name of Intercessor and Interventor.* Lemmata paragraphorum sæpissime (culpa, *vere*, typothetarum) absunt.

proponat, indicatis testimoniis satis sint confirmata. Quæ quum ita omnino esse habere persuasus essem, eorum consilio me sequuturum recepi. Itaque ingressus sum viam primo quidem intuitu facilem et planam, quam vero in progressu satis difficilem et salebrosam esse cognovi. Primum enim non multo post auctores quidam mihi deesse cœperunt. Inveni equidem in officina Orphanotrophei nostri libraria insignem librorum etiam compactorum copiam, ab eo, qui huic officinæ Divino nutu inde a primis ejus initiis præest, magna atque laudanda industria per multos annos collectam, ex qua plurimos eosque utilissimos ac rarissimos depromere mihi licuit. Non paucos tamen ad hunc laborem mihi omnino necessarios in ea desiderari animadverti. Horum ergo nonnullos partim e publicis, quæ hic aperiuntur, (inter quas ipsa dicti Orphanotrophei, a memorata officina libraria seu bibliopolio diversa, referenda est,) partim privatis bibliothecis, conquisivi et accepi mutuo. Quosdam vero, cum primis Anglicanos, reperiri nusquam potui. Deinde in evolvendis istis libris non exigua difficultas sæpe mihi subnata fuit. Editiones, quas ad manus habui, ab iis, quibus usus fuerat Auctor, plerumque fuerunt diversæ, ideoque allegata loca iis, quas indicavit, paginis non inveni. Præterea allegationes (quod viri celeberrimi pace dixerim) non raro vagas atque erroneas deprehendi. *Vagas* quidem, dum librum aliquem longiorem (exempli gratia Justini Martyris et Athanasii Apologias, Nazianzeni Orationes, Chrysostomi Homilias, Hieronymi Epistolas, Conciliorum Actiones, &c.) sine ullo sectionis et paginæ indicio citavit. *Erroneas* autem, dum eo loco, ad quem provocavit, nihil eorum, quæ dixit, exstare vidi. Hinc vel unius vocabuli gratia longam sæpenumero Orationem, Apologiam, Epistolam aut aliud scripti genus legere atque iterum legere necesse habui. Quod si post aliquot horas continuas tandem inveni, quod quæsivi, editionis meæ librum, sectionem, paginam et id genus indices alios adscripsi, Auctoris indicibus vel una additis, vel, si aperte falsi fuerunt, omissis: sin autem in investigando operam et oleum, quod aiunt, perdidi; paucis verbis, ut plurimum vero apposito hoc signo †, id ipsum indicavi[30].

In ipsis autem transcribendis testimoniis ita versatus sum, ut, si illa e Græcis Patribus et Auctoribus fuerunt petenda, ipsa illorum verba Græca ponerem, Latinamque eorum versionem, in gratiam linguæ Græcæ expertium, simul adderem: nisi hæc in ipso Auctoris sermone jam exstaret. Ille enim sæpissime auctorum suorum verba,

[30] [Nearly the whole of these citations I have succeeded in correcting and supplying in their proper places, as I have stated in my Introduction prefixed to the first volume of this edition. Ed.]

Anglice quidem reddita, suis interminscuit, quæ ego imbi lingua Latina, versioni meæ consentanea, exhibeo. Latinorum autem verba ibidem vel in annotationibus Latine sisti oportuisse, per se patet. Non ingratum autem Lectori futurum puto, quod nonnunquam loca paullo longiora descripsi, ubi nervum probandi, cui intentus Auctor fuit, sæpe duobus tribusve verbis indicari potuisse quis existimaverit. Etsi enim ipse Auctor multa testimonia hoc modo excerpsit, quod a scopo ipsius haud alienum fuit, quando lectori Anglicano vulgari potissimum se scripsisse profitetur; mihi tamen testimonia in contextu et cohærentia sermonis ob oculos ponere placuit, quod Lectorem de eorum sensu et probandi virtute alias ex vero judicare non posse credidi. Quod si quem locum nimis longum esse vidi, satius omnino duxi in sola allegatione acquiescere, quam, aliquot chartæ latera complendo, libri molem illiusque, simul sumptus atque pretium adaugere.

Hæc sunt, quæ de hac primi voluminis editione monere volui. De reliquorum voluminum versione nihil certi promitto, ne Divinæ Providentiæ, a qua res mortalium pendent, temere antevertere velle videar. Quod si Deus longiorem hujus lucis usuram, vires animi et corporis, necessarium etiam otium concesserit, et si has hujus operis primitias publico gratas esse intellexero, fieri potest, ut conscientibus et approbantibus iis, quorum consilio hunc laborem suscepi, in incepto pergam.

Quod reliquum est, Benevolum Lectorem adhuc rogo, ut si qua errata typographica observaverit, ea ipse emendet. In parando enim exemplari ad finem usque occupato aliisque negotiis districto mihi non licuit ea investigare et colligere.

Deo autem Optimo Maximo pro auxilio mihi præstito gratias ex animo ago; ipsumque oro, ut hanc qualemcumque operam meam infructuosam esse ne patiatur. Scripsi Glauchæ ad Halas Magdeburgicas, Nonis Martiis 1724.

Jo. Henr. Grischovius.

THE PREFACE OF GRISCHOVIUS

TO THE SECOND PART OF HIS VERSION OF

THE ORIGINES ECCLESIASTICÆ.

LECTORI BENEVOLO S.

Quum anno superiore libros duos priores Originum sive Antiquitatum Ecclesiasticarum Josephi Binghami Latine redditos, unoque volumine comprehensos, in lucem publicam edidi; de reliquorum quidem voluminum subsequutura versione nihil certi pollicitus sum; quibusdam tamen conditionibus in incepto me perrecturum declaravi.

Quemadmodum igitur, quod ad istarum conditionum ultimam attinet, non multo post tum privatis non nullorum epistolis ac sermonibus, tum publicis aliorum scriptis, intellexi, laborem istum meum non inutilem haberi; ita, quando Deus O. M. priores etiam mihi clementissime indulsit, Junio mense exeunte pedem ulterius promovi, et mediocre aliquod spatium, quantum per ordinarias occupationes licuit, huc usque emensus sum. Quatuor nimirum sequentes libros, tertium, quartum, quintum et sextum, absolvi, quos hoc secundo volumine nunc in vulgus exire jubeo.

Quo modo in hac elaboratione versatus sim, nihil attinet hic exponere, quia eandem, quam in primo volumine inii, viam sum prosequutus: qua de re in præmissa isti volumini Præfatione, quantum necesse fuit, dixi, adeoque Benevolum Lectorem eo remitto.

Indicem ex virorum doctorum desiderio, qui de primo volumine id publice monuerunt, in hosce priores sex libros subjungere, animus mihi initio fuit; sed re magis deliberata mutavi consilium, satius esse ratus, ad totius operis finem hunc ipsum reservare: ubi Lectori hac in re, Deo bene juvante, cumulatissime satisfiet. Interim in generaliore cujusque voluminis conspectu præcipuas materias, quisquis quærere volet, reperire facile poterit.

Supersunt adhuc libri septemdecim: viginti enim tres de hoc argumento Auctor conscripsit, eosque decem voluminibus divulgavit.

Quorum ultimum quum anno 1722 edidisset, proxime insequuto 1723 [31], diem suum obiit.

In hujus celeberrimi viri e vita excessum in novis Londinensibus inscriptio quædam publicata, et ab honoratissimo quodam amico inde excerpta, atque, ubi primum volumen modo prodierat, Londino ad me missa fuit: quam si nunc etsi paullo serius cum Benevolo Lectore communicavero, rem non ingratam ipsi me facturum confido. Ita vero se habet:

Obstupesce, Viator!
Venerandi Cineres hic sunt reconditi [32]
Josephi Binghami, M.A.
Collegii Universalis apud Oxonienses
Quondam Socii;
Cujus multiplicem si spectes Doctrinam,
Si exactam veteris Disciplinæ
Et consuetudinum Ecclesiasticarum notitiam,
Quam multis scriptis prodidit,
Cyprianica Ætate vel etiam Ignatiana
Vixisse agnoscas,
Nisi quod non esset Episcopus.
At væ sæculo meritorum immemori,
Ingrato,
Quum, qui Patriarchatum in Ecclesia meruit,
Non nisi Havanti [33] in Agro Hantoniensi
Parochus obiit.

31 Quo mense et die mortuus sit, resciscere nondum potui. Aiunt auctumno inclinato in hiemem id factum esse. [On August the 17th, 1723. See the Life, among the *Prolegomena*, prefixed to the first volume of this edition of the entire Works. Ed.]

32 [This phrase is more classically correct than *conduntur*, which is the reading of the original from the pen of Mr. Edward Clarke. Grischovius has slightly altered some other clauses. See the Life, as cited at the end of the preceding note. Ed.]

33 Cl. Binghamus primum Rector of Headborn-Worthy, near Winchester, et postea inde Havantum translatus, *Rector of Havant* sese nominavit, quo ipso non ludo literario, uti quidem ista appellatio in nostris oris eum sensum suppeditat, sed ecclesiæ utriusque loci præfuisse intelligendus est. In Anglia enim, quemadmodum interprete eodem amico didici, inter ecclesiæ alicujus ministros is *Rector* dicitur, qui primus et ordinarius animarum pastor est, et die Dominica solemnium ad populum concionem recitat, si quidem simul majores recipiat decimas. Illius at non ille primarius pastor, sed vel patronus ecclesiæ vel ecclesia ipsa nuncupatur, tum non *Rector*, sed lingua patria *Curate** nuncupatur: licet easdem

* [It must properly be, the term *Curate* in our ecclesiastical language, as we well know, designating the man who is actually charged with the duties of the cure, that is, the care of *souls*, whether Rector, Vicar, or Stipendiary. It is not surprising that the German divine should have written somewhat indistinctly in

Quod reliquum est, operam me daturum, recipio, ut (ἐὰν ὁ Κύριος θελήσῃ, καὶ ζήσωμεν) tertium volumen hoc secundo paullo amplius vertente anno appareat, et reliqua septem suo quodque tempore consequantur. Scripsi Glauchæ ad Halas Magdeburgicas 8 Kal. Mart. 1725.

Jo. H. Grischovius.

alioquin, quas *Rector*, functiones obeat. Eandem appellationem postea in Henrici Spelmanni Glossario Archaiologico, Londini anno 1687 edito, inveni, ubi p. 480 b. hæc leguntur: *Rector Ecclesiæ*] Lind. *De Abbate dictum. Chart. Alaman.* 43. *Sacro-sancta ecclesia S. Galluni, qui* (leg. quæ) *est constructa in pago Durgania, ubi ipsus in corpore requiescit, et Joannes Abbas ad præsens Rector ecclesiæ esse videtur.* Huc spectant etiam, quæ Henricus Ludolphus Benthemus habet in libro suo Germanico de Ecclesiarum et Scholarum Anglicanarum statu, p. 218. n. 7. *Nun folgen*, inquiens, *die* Ruraldeans, *vor diesem* Archipresbyter[i] *genennet . . . Hierauf kommen die priester eines ieden Kirchspiels, welche von ihnen gemeiniglich* Rectors *oder auch* Vicars *genennet werden.* Confer sis etiam ibid. pp. 509, 510, 511, 512, ubi in Constitutionibus Ecclesiæ Anglicanæ, quas auctor lingua Latina exhibet, frequens *Rectorum* mentio fit. Quæ quum ita sint, non dubitavi, ad indicandum Binghami nostri munus, appellationem Rectoris, addito vocabulo *Ecclesiæ*, in fronte hujus Latinæ editionis adhibere: quum alias ecclesiarum nostrarum stilo pastorem primarium, vel simpliciter pastorem, dicere ipsum potuissem.

this note, intended not for us but for his countrymen, or that he should have confounded our popular use of *Curate* with its stricter sense. The minister officiating in a sole charge, the incumbent being non-resident, was termed *Curate* correctly enough; but in course of time the name has been popularly given to any stipendiary doing the duty of another man, and permanently helping him under the bishop's license; though, strictly, such a hireling is not a *Curate*, but only an assistant minister. Ed.]

THE PREFACE OF GRISCHOVIUS

TO THE LAST PART OF HIS VERSION OF

THE ORIGINES ECCLESIASTICÆ.

LECTORI BENEVOLO S.

Ultimum Originum sive Antiquitatum Ecclesiasticarum Josephi Binghami volumen lingua Latina jam edo, simulque fidem meam libero, quam in secundi voluminis Præfatione dedi. Monuerant videlicet viri quidam docti, quum primum volumen exiisset, addendum fuisse Indicem: quibus ego tum respondi, sub finem totius operis desiderio ipsorum me, Deo bene juvante, cumulatissime satis esse facturum. Id nunc demum me præstitisse perspicient. Triplicem enim sub calcem libri vicesimi tertii, qui in hoc volumine continetur, Indicem exhibeo, unum Rerum, alterum Auctorum, tertium Conciliorum.

Ipse quidem clarissimus Auctor noster tres Indices operi suo subjunxit: enimvero præterquam quod Index Rerum in hac Latina editione multo locupletior, quam in Anglicana, facta est, secundus et tertius posteriores duos Binghamianos longissime superant, vel alia potius apparent forma. Quanquam enim Vir Doctissimus auctorum, quibus usus est, non nomina solum, (sicut alias plerumque fieri solet,) sed editiones etiam indicavit; locum tamen, ubi hunc istum in opere suo allegarit, adscripsit nullum. Eandem rationem sequutus est in Indice Conciliorum, quippe in quo præter nomina, numerum canonum et annum, ad quem unumquodque celebratum fuit, nihil habet. In hac autem Latina editione singulis Patribus, Auctoribus et Conciliis paginas, ubi locus quidam vel canon citatus est, annotavi [illegible]: ita quidem, ut, si plures alicujus scriptoris libri allegati fuerint, ad evitandam in evolvendis allegationibus con-

[illegible] I would have wished to have done so myself. I did think of it, especially with respect to the Canons of the Councils. But I found it too great an undertaking, and to mention the augmentation of the Indices by several sheets, which it would have caused. If considered desirable, it may be supplied in a future volume. Ed.'

fusionem et tædium, distincte eos posuerim. Quam rem multis lectoribus gratam me fecisse persuasus sum. Quum enim in hasce ORIGINES ingens notabilium sententiarum farrago ex omnis generis scriptoribus congesta sit, talis Index, qui, ubicunque ex hoc illove auctore auctorisque libro hic ille locus allegatus sit, plane indicat, illis mirifice prodesse potest, qui de simili vel cognato argumento commentantur, auctores vero quoslibet, quibus opus eis est, nancisci nequeunt. Quod ipsum et mihi in hac adornanda versione sæpius usu venit. Quando scilicet Auctor noster de quadam materia ad scriptoris alicujus testimonium provocavit, neque vero illud interposuit; tum ego, pro instituti mei ratione, illud exscribere cupiens, si ipsius libri compos fieri non potui, quæsivi vel in Albertino, vel Chamierio, vel alio quopiam auctore; et beneficio istiusmodi Indicum haud raro eum ipsum locum non sine gaudio reperi, quam Binghamus innuit.

Præterea in gratiam eorum, quibus Latinam hanc editionem cum Anglicana conferendi copia est, hoc quoque de Indice Auctorum Binghamiano monendum duxi, viginti circiter scriptores [35], partim alios scriptorum allegatorum libros [36], ibi legi, quos, quantumvis diligentissime quæsitos, nuspiam in ipsis voluminibus allegatos deprehenderim, adeoque in hujus editionis Indice omiserim; contra ea, non paucos omissos esse [37], quos in colligendis allegationibus oc-

[35] Ex. gr. Joannem Balæum, Martinum Chemnitium, Franciscum Halloix, Joannem Phocam, Joan. Mariam Thomasium, &c. [These authors and some others of the same kind my Ancestor seems to have put down in his Index, because, though he does not expressly cite them in the notes, he nevertheless distinctly refers to them or mentions them generally in the text. They will be found for the most part in my improved *Index Auctorum*. See, e. g., vol. 8. p. 207. No. 72. Ibid. p. 223. No. 163. Ibid. p. 263. No. 365. Ibid. p. 299. No. 606. Ibid. p. 325. No. 763. ED.]

[36] Ut Henr. Dodwell. De Jure Laicorum Sacerdotali contra Hugonem Grotium: Christ. Korthold. De Variis Scripturæ Editionibus: Jacob. Usser. De Successione Ecclesiæ, &c. [See my *Index Auctorum* also, as before, p. 245. No. 241. 2. Ibid. p. 276. No. 439. 3. Ibid. p. 327. No. 782. 2. In those places the full titles of these works respectively are given. ED.]

[37] Constitutiones Apostolorum: Petri Lambecii Comment. de Bibl. Vindobonensi: Joannis Garnerii Librum Diurnum Romanorum Pontificum, &c. [*The Apostolical Constitutions*, I conceive, my Ancestor regarded as included in his allegation of *Cotelerius*. See the *Index*, as before, p. 236. No. 204. 1. All real omissions I believe I have supplied even more minutely than Grischovius himself did. See No. 19, 33, 34, 36, 45, 62, 71, 90, 111, 116, 129, 136, 141, 153, 158, 164, 195, 198, 208, 209, 210, 221, 225, 226, 232, 239, 240, 242, 269, 287, 361, 363, 365, 367, 371, 414, 426, 438, 450, 453, 468, 473, 474, 484, 490, 503, 521, 535, 536, 538, 555, 582, 586, 612, 619, 626, 643, 645, 653, 656, 664, 675, 683, 686, 695, 703, 704, 714, 715, 719, 729, 730, 761, 777, 778, 781, 783, 787, 807, 820, 829, 838. ED.]

cupatus observarim, et hic interposuerim. Quod de Indice etiam Conciliorum notatum volo.

Cæterum uti Auctor noster, sub operis sui finem, gratum animum adversus eos, a quibus se adjutum esse intellexit, declaravit publice; ita et meas partes esse arbitror, idem ut faciam.

Gratias itaque ago iis, qui vel publice[38] vel privatim laborem meum approbarunt, meque, ut in incepto pergerem, cohortati sunt. Plurimum autem illis me debere profiteor, qui ex bibliothecis propriis[39], vel alienis, quibus præfecti sunt[40], libros mihi suppeditarunt, vel integra loca excerpta mecum communicarunt[41]. Pro qua insigni liberalitate et humanitate ipsis omnia officia, quæ quidem a me proficisci possunt, promitto.

Non minus autem cum Auctore nostro Deum Immortalem laudo et concelebro, quod et mihi hoc dedit clementissime, ut hanc Latinæ Versionis telam, ante hos sex annos[42] exorsam, etsi aliquando morbo

38 Post D. Joannem Franciscum Buddeum, cujus mortem, de qua his ipsis diebus nuntius huc allatus est, cum bonis omnibus, ecclesiæ evangelicæ causa, doleo, in Præfatione volumini primo præmissa, mihi innotuerunt clarissimi auctores novorum literariorum, quæ inscribuntur: *Auserlesene Theologische Bibliothec, oder, Gründliche Nachrichten von denen neuesten und besten Theologischen Büchern;* et: *Neue Zeitungen von gelehrten Sachen.*

39 Ex nostræ Academiæ doctoribus, honoris causa nomino Nicolaum Hieronymum Gundlingium, h. t. Pro-Rectorem Magnificum, quem per aliquot hebdomades graviter ægrotantem Deus respiciat propitius, et in commoda utilitatemque Academiæ convalescere, si velit, jubeat! Paulum Antonium, Joannem Henricum Michaelem, et Justum Henningium Boehmerum. Ex Lipsiensibus, Joannem Burcardum Menckenium.

40 Horum in numero sunt, Christianus Benedictus Michaelis, P. P. O. cui Academiæ Fridericianæ; D. Joannes Fridericus Bieckius, et D. Joannes Georgius Franckius JCti, quorum huic post istum Ecclesiæ Marianæ; Joannes Henricus Callenbergius, P. P. cui Orphanatrophei; Hieronymus Freyerus, Pædagogii Pegii inspector, cui istius Scholæ bibliotheca commissa est: et, qui hoc nomine primum laudandus erat, Henricus Julius Elers, bibliopola quondam Orphanotrophei solertissimus, superiore anno, mense Sept. beate defunctus; cujus e penu plerosque selectiores et pretiosiores libros, e. g. Acta Sanctorum; Cæsaris Baronii Annales; Bibliothecas Patrum; Scriptores Byzantinos; Philippi Labbei tomos Conciliorum, et Patres Græcos et Latinos tantum non universos depromere mihi licuit. Nec prætereundus est, qui illius in locum successit, Henricus Zopfius.

41 Id iterum iterumque fecerunt Guelpherbyti, Petrus Schillingius, Serenissimo Duci Brunsvicensium et Luneburgensium, Augusto Gulielmo, a concionibus aulicis, ex Bibliotheca ista celeberrima Ducali: Gothæ, Joannes Fridericus Heusingerus, illustris Gymnasii Sub-Con-Rector, ex Ducali et Vockerodtiana: et Lipsiæ, G. Keyselitius, M. A. et Catecheta ad ædem D. Petri, e publicis privatisque.

42 [My Ancestor was occupied full *twenty years* with the original composition, Grischovius thus owns to *six* for the period of his labours, and I have been engaged upon my edition for *eight* or *ten* years, though I could perhaps have

acutissimo interruptam, salvus et incolumis deduxerim. Faxit Ipse, qua est bonitate, ut multa ex hoc, utut in se exiguo, labore in rem Christianam pariter ac literariam redundent emolumenta, et hæc ipsa cedant in Sanctissimi Nominis sui gloriam laudemque sempiternam! Glauchæ ad Halas Magdeburgicas, 3 Kal. Decembr. 1729.

Jo. Henr. Grischovius,

Osterodanus Halberstadiensis.

done all in four or five, could I have worked continuously. If we were to calculate the periods which other editors have expended in the same direction, how large would be the amount of human lifetime employed on this subject! Ed.]

THE PREFACE OF GRISCHOVIUS

TO HIS

TRANSLATION OF THE SUPPLEMENTAL PIECES,

which first appeared in the folio edition of Bingham's works.

LECTURIS SALUTEM.

Post Origines Ecclesiasticas Josephi Binghami, quarum volumen decimum et ultimum ante hos octo annos et menses quatuor edidi, jam nova scriptorum ejusdem celeberrimi viri collectio in lucem prodit.

Diverso tempore et occasione hæc scripta olim ab Auctore edita sunt separatim, deinde autem post obitum illius cum Originibus junctim excusa apparuerunt. Dissertationes quatuor sunt, Sermo unus. Tres ex istis in Originibus passim citantur; atque inde mihi, in interpretatione illarum occupato, de nomine et argumento innotuerunt. Postea ubi, procurante Orphanotrophei nostri bibliopola, novam istam editionem ex Anglia apportatam accepi, opportunitatem nactus sum hæc illis subjuncta opuscula perlustrandi penitusque pernoscendi.

Quo facto de tribus prioribus Dissertationibus sic existimavi, non utile tantum fore sed necesse etiam esse, in gratiam eorum, qui Origines possident, Latinitate eas donari: quod ad quædam non parvi momenti capita, in primis illa de baptismis laicorum et hæreticorum, eorumque pretio ac valore; de ordinationibus item hæreticorum, uberius explicanda conscriptas esse cognoveram [43].

De quarta Dissertatione [44], quum esset ab argumento priorum

43 Quod ipsum de prima Dissertatione Cl. Auctor in proxime sequenti Præfatione* claris verbis indicat: de duabus posterioribus ex ipso utriusque argumento, magis quidem polemice vel potius apologetice tractato, liquet.

44 Tempore fuit sine dubio omnium prima† et ante ipsas Origines jam sub superioris fortassis sæculi exitum aut certe sub hujus initium edita: quod ex conclusione, ubi Gallos exsules in Anglia compellat, colligi posse videtur.

* [The Preface to the First Part of the Scholastical History of Baptism by Laymen. See vol. 9, of this edition of the entire Works. Ed.]

† [The French Church's Apology for the Church of England, in the year 1706. Ed.]

et ipsarum Originum diversa, dubium mihi aliquamdiu fuit, quid statuerem. Rationibus autem ab utraque parte diligentius perpensis, pervicit ea cogitatio, quæ interpretationem suadebat: cujus rei etiam eos, quibus illam aperui, inveni approbatores; nec dubito, quin emptores et lectores plerique, si non universi, idem hoc institutum sint comprobaturi.

Quamvis enim ad Origines Ecclesiasticas, ut dixi, proprie referri nequeat hæc Commentatio; ejusmodi tamen est, ut theologiæ, in primis elencticæ, cultoribus valde prodesse possit. Nam controversias, quæ inter sic dictos Episcopales ab una, et Presbyterianos ab altera parte, in hodiernum usque diem agitantur, et quas omnino expedit perspectas habere, patefacit et illustrat, vindiciasque Ecclesiæ Anglicanæ adversus præcipuas Dissentientium objectiones complectitur.

Dantur quidem, fateor, libri satis multi, qui de istis controversiis tractant, plerique autem lingua Anglica, quam intelligere non omnibus datum est, evulgati sunt; et qui Latini exierunt, in nostris oris rariores sunt, et cariores quam ut a quovis, istarum rerum cupido, possint comparari. Accedit, quod Auctor peculiarem abalienatos Anglos convincendi et ad Ecclesiæ suæ communionem reducendi inierit rationem, a nullo antea initam: quemadmodum ipse in Epistola Dedicatoria et Præfatione narrat.

Excipit hanc Dissertationem unus quidam Sermo, quem, quum illam interpretatus essem, vel ideo addendum duxi, ut opera Auctoris plena et integra exhiberem. Brevis quidem est, at argumenti præstantia maxime commendabilis. Agit enim de misericordia, qua in peccatores ad frugem redeuntes utitur Summum Numen: quam doctrinam consolationis plenissimam, licet aliunde jam cognitam et ipso fortassis usu perceptam, in fine horum operum recognovisse neminem reor pœnitebit.

Plura in horum scriptorum commendationem non addo. Quando enim Auctor in Originibus suis incredibilem variarum rerum scientiam magnumque judicium prodidit, et summam inde famam atque existimationem in orbe literato, ipsis etiam adversariis ejus fatentibus [45], consequutus est; unusquisque conjectura ante, quam ad ipsam lectionem accedat, facile poterit prospicere, quales hasce commentationes offensurus sit, ab homine tam docto et in primis erudito elucubratas.

[45] In Actis Eruditorum, quæ Lipsiæ publicantur, singula earum volumina magna cum laude recensita leguntur. Postquam Latine prodierunt, iidem viri docti, qui ista Acta colligunt, et alii id sibi maximopere probari declararunt publice, quod hoc modo communi eruditorum usui *eximius iste antiquitatum ecclesiasticarum thesaurus* reclusus esse.

De opera, quam ego ad interpretandas illas contuli, non habeo, quod prædicem: hoc tantum, quod olim de primo operum volumine dixi, de hoc ultimo etiam affirmare possum, me id egisse fideliter, ut verbis Auctoris mei non tantum alienum sensum ne darem, sed ut ea etiam perspicue et plane redderem: quam curam illis quoque locis adhibui, quæ ex aliorum libris, Anglice vel Gallice scriptis[46], interposuit. Indices hæc opuscula non habent præter unum perbrevem[47], in quo 150 Binghamus libros, in quarta solum Dissertatione a se usurpatos, nominavit. Ego autem auctores omnes, quotquot in integro hoc volumine vel laudantur vel refutantur, consignavi: et paginas, in quibus leguntur, perinde ut in Indice Auctorum ORIGINIBUS subjuncto, adscripsi. Quam rem lectoribus gratam me fecisse confido.

Quod superest, gratias Deo Optimo Maximo ago, quod vitam mihi et vires concessit, ut hunc etiam laborem exantlarim. Faxit idem Clementissimus Deus, ut ego et lectores omnes misericordiam, quam in scriptorum suorum ultimo commentatus est Auctor, propter Jesum Christum, Filium ipsius crucifixum et morti traditum eundemque e mortuis resuscitatum, in via veræ pœnitentiæ et fidei consequamur. Halæ Magdeburgicæ, in Orphanotropheo Glauchensi. Pridie Kal. Aprilis, 1738.

J. H. G.

[46] Cujusmodi ex istis sunt collectæ, Rubricæ et Canones Ecclesiæ Anglicanæ universi et præter libros Anglice inscriptos, alii quidam Latinum titulum in fronte gerentes, e. g. Falkneri Libertas Ecclesiastica, Molinæi Novitas Papismi, &c. Ex his autem canones e synodis nationalibus et disciplina Ecclesiarum Reformatarum Galliæ deprompti omnes, nec non diversæ epistolæ et dissertationes suo quæque loco nominatæ.

[47] [It will be observed that I have added separate Indices both of Authors and Matter to each of the last two volumes of this edition, containing the Lay-Baptism in the ninth volume, and the French Church's Apology in the tenth volume. ED.]

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THE ANTIQUITIES

OF THE

CHRISTIAN CHURCH.

BOOK IV.

OF THE ELECTIONS AND ORDINATIONS OF THE CLERGY, AND THE PARTICULAR QUALIFICATIONS OF SUCH AS WERE TO BE ORDAINED.

CHAP. I.

Of the several ways of designing persons to the ministry in the apostolical and primitive ages of the Church.

1. HAVING thus far given an account of all the orders of the clergy in the primitive Church, both superior and inferior, together with the several offices and functions that were annexed to them, I now proceed to consider the rules and methods that were observed in setting apart fit persons for the ministry, especially for the three superior orders, which were always of principal concern. And here, in the first place, it will be proper to observe, that in the apostolical and following ages there were four several ways of designing persons for the ministry, or discovering who were most fit to be ordained; the first of which was by casting lots; the second by making choice of the first-fruits of the Gentile converts; the third by particular direction and inspiration of the Holy Ghost; and the last in the common and ordinary way of examination and election. The first method was observed in the designation of Matthias to be an Apostle, as we read Acts i, 23—26, where it is said, that the disciples themselves first appointed two,

Four several ways of designing persons for the ministry. Of the first way, by casting lots.

Joseph called Barsabas, and Matthias; and then praying to God that he would shew whether of those two he had chosen, they gave forth their lots, and the lot fell upon Matthias. St. Chrysostom[1] says 'they used this method because as yet the Holy Ghost was not descended on them, and they had not at this time the power of choosing by inspiration; and therefore they committed the business to prayer, and left the determination to God.' The author of the Ecclesiastical Hierarchy, under the name of Dionysius[2], fancies that God answered their prayer by some visible token: but if so, this had not been choosing by lot, as the Scripture says it was, but a quite different method of election. However, interpreters generally agree that there was something extraordinary in it. Dr. Lightfoot[3] thinks Matthias had no other ordination to his apostleship; for the Apostles did not give him any ordination by imposition of hands after this, as they did to presbyters afterwards; and that, if true, was extraordinary indeed. Others reckon the extraordinariness of it to consist in the singular way of electing and designing him to that office by lot; for they say[4] all ecclesiastical history scarce affords such another instance: and I confess there are not very many, but some few there are, which shew that that method of electing was not altogether so singular as is commonly imagined. For in Spain it was once the common practice, as may be concluded from a canon[5] of

[1] Hom. 5. in 1 Tim. 1, 18. (t. 11. p. 574 c.) Ἐπεὶ οὐδὲ οἱ Ἀπόστολοι Πνεύματος μετεῖχον, ὅτε τὸν Ματθίαν ἐξελέξαντο· ἀλλ' εὐχῇ τὸ πρᾶγμα ἐπιτρέψαντες ἐγκατέλεξαν αὐτὸν τῷ τῶν Ἀποστόλων ἀριθμῷ.

[2] Hierarch. Eccles. c. 5. p. 367. (t. 1. p. 238 d.) Δοκεῖ μοι τὰ Λόγια κλῆρον ὀνομάσαι θεαρχικόν τι δῶρον, ὑποδηλοῦν ἐκείνῳ τῷ ἱεραρχικῷ χορῷ τὸν ὑπὸ τῆς θείας ἐκλογῆς ἀναδεδειγμένον.

[3] On Act. 1, 21. (v. 8. p. 38.(..... The Apostles could not ordain an Apostle, &c.

[4] Vid. Dodwell. Dissert. 1. in Cypr. s. 17. p. 4. (p. 7.).... Hujus sortium, in sacrorum ministrorum electione, usus post tempora Apostolorum vel nulla exstant omnino, vel quam paucissima, vestigia..... Miminerunt et alii episcoporum manifestissimis Dei suffragiis constitutorum, Gregorii Thaumaturgi et Alexandri Carbonarii Gregorius Nyssenus, Alexandri Hierosolymitani Eusebius et Fabiani Romani. De sortitione tamen altissimum ubique silentium, &c.

[5] C. 3. (t. 5. p. 1605 e.) Hoc etiam innovandum custodiendumque in omnibus sancta statuit synodus, ut secundum priscorum canonum constituta vel synodalium epistolas præsulum præmonentes, nulli deinceps laicorum liceat ad ecclesiasticos ordines, prætermisso canonum præfixo tempore, aut per sacra regalia, aut per consensionem cleri, vel plebis, vel per electionem assensionemque pontificum, ad summum sacerdotium aspirare ac provehi: sed cum per canonum conscripta tempora ecclesiasticos per ordinem,

the Council of Barcelona, anno 599, which orders 'that when a vacant bishopric is to be filled, two or three shall be elected by the consent of the clergy and people, who shall present them to the metropolitan and his fellow-bishops, and they, having first fasted, shall cast lots, leaving the determination to Christ the Lord; then he on whom the lot shall fall shall be consummated by the blessing of consecration.' There is nothing different in this from the first example, save only that in this there is express mention of a consecration afterward, which is not in the history of Matthias; and yet perhaps there might be a consecration in his case too, though not expressly mentioned; but I leave this to further inquiry.

The second way by making choice of the first-fruits of the Gentile converts.

2. The second way of designation was *by making choice of the first-fruits of the Gentile converts* to be ordained to the ministry. For these, expressing a greater zeal than others, by their readiness and forwardness to embrace the gospel, were generally pitched upon by the Apostles as best qualified for propagating the Christian religion in the world. Clemens Romanus, in his Epistle to the Corinthians[6], says 'the Apostles, in all countries and cities where they preached, ordained their first converts bishops and deacons for the conversion of others;' and 'that they had the direction of the Spirit for doing this.' And hence the author that personates the same Clemens, in his pretended Epistle to James, bishop of Jerusalem, giving him an account of the reasons that moved St. Peter to ordain him, says[7] 'it was because he was chief of the first-fruits of his converts among the Gentiles.' Some compare this to the right of primogeniture among the ancient patriarchs, which entitled the first-born to the priesthood; and I will not deny but there might be something of allusion in it: but then the parallel will not hold throughout, for in the latter case it

speciali opere desudando, probatæ vitæ adminiculo comitante, conscenderit gradus, ad summum sacerdotium, si dignitati vita responderit, auctore Domino provehatur. Ita tamen, ut duobus aut tribus, quos ante consensus cleri et plebis elegerit, metropolitani judicio ejusque coepiscopis præsentatis, quem sors, præeunte episcoporum jejunio, Christo Domino terminante, monstraverit, benedictio consecrationis accumulet.

[6] Ep. 1. ad Corinth. n. 42. (Cotel. v. 1. p. 170.) Κατὰ χώρας οὖν καὶ πόλεις κηρύσσοντες καθέστανον τὰς ἀπαρχὰς αὐτῶν, δοκιμάσαντες τῷ Πνεύματι εἰς ἐπισκόπους καὶ διακόνους τῶν μελλόντων πιστεύειν.

[7] Ep. ad Jacob. n. 3. (ibid. p. 606.) Σὺ γὰρ δι' ἐμοῦ τῶν σωζομένων ἐθνῶν εἶ κρείττων ἀπαρχή.

was not any natural right, but personal merit attending their primogeniture, that entitled the first converts to the Christian priesthood.

The third way by particular direction of the Holy Ghost.

3. Which will appear further by considering that many of them were ordained *by the particular direction of the Holy Ghost*: for so the words δοκιμάζοντες τῷ Πνεύματι, in Clemens Romanus, may be understood to signify the Spirit's pointing out the particular persons whom he would have to be ordained; which I observed to be the third way of designation of persons to the ministry, very usual in those primitive times of the Church. Thus Timothy was chosen and ordained "according to the prophecies that went before on him," 1 Tim. i, 18; whence his ordination is also called, "the gift that was given him by prophecy," 1 Tim. iv, 14. In regard to which the ancient interpreters, Chrysostom[8] and Theodoret[9], say 'he had not any human vocation, but was chosen by divine revelation, and ordained by the direction of the Spirit.' Clemens Alexandrinus, in his famous Homily entitled *Quis Dives salvetur*, observes the same of the clergy of the Asiatic Churches, whom St. John ordained after his return from the isle of Patmos; he says[10], 'they were such as were signified or pointed out to him by the Spirit.' I know indeed Combefis puts a different sense upon these words, and says[11] 'the designation here spoken of means not any new or distinct revelation, but I know not what divine predestination of the persons; or else their ordination itself, which was the seal or consignation of the Spirit;' and 'that there is no authority for the common sense which interpreters put upon this passage.' But as he owns his notion to be sin-

[8] Hom. 5. in 1 Tim. 1, 18. (t. 11. p. 574 d.) Τί ἐστιν, ἀπὸ προφητείας; ἀπὸ Πνεύματος Ἁγίου· προφητεία γάρ ἐστιν, οὐ τὸ τὰ μέλλοντα λέγειν, ἀλλὰ καὶ τὸ τὰ παρόντα· ἐπεὶ καὶ ὁ Σαοὺλ κατὰ προφητείαν ἐδείχθη ἐν τοῖς σκεύεσι κρυπτόμενος. ὁ γὰρ Θεὸς τοῖς δικαίοις ἀποκαλύπτει. προφητεία ἦν καὶ τὸ λέγειν, Ἀφορίσατέ μοι τὸν Παῦλον καὶ τὸν Βαρνάβαν. οὕτω καὶ ὁ Τιμόθεος ἠρέθη.

[9] In eund. loc. (t. 3. part. 1. p. 645.) Οὐ γὰρ ἀνθρωπίνης, φησὶ, τετύχηκας κλήσεως· ἀλλὰ κατὰ θείαν ἀποκάλυψιν τὴν χειροτονίαν ἐδέξω· εἰκὸς δὲ οὐ μόνον αὐτὸν ἐξ ἀποκαλύψεως προβληθῆναι διδάσκαλον· ἀλλὰ καὶ κατὰ τοιοῦτόν τινα τρόπον καὶ τῆς ἐξ ἀρχῆς κλήσεως ἀπολαῦσαι.

[10] Ap. Euseb. l. 3. c. 23. (v. 1. p. 113. 5.)....Ὅπου μὲν ἐπισκόπους καταστήσων, ὅπου δὲ ὅλας ἐκκλησίας ἁρμόσων, ὅπου δὲ κλήρῳ ἕνα γέ τινα κληρώσων τῶν ὑπὸ τοῦ Πνεύματος σημαινομένων.—Conf. ap. Combefis. Auctar. Noviss. (part. 1. p. 185 a. 8.)

[11] In loc. cit. (p. 192 c. 15.)..... Quos Spiritus designasset divina potius prædestinatione, quam nova aliqua et distincta revelatione, quam nec Clemens significavit, nec ulla probat auctoritas, &c.

gular, and contrary to the sense of all other learned men, so it is evidently against matter of fact and ancient history, which affords several other instances of the like designations in the following ages. I will give an instance or two out of many. Eusebius says[12] 'Alexander bishop of Jerusalem was chosen *κατὰ ἀποκάλυψιν, by revelation,* and an oracular voice, which signified to some ascetics of the Church that they should go forth out of the gates of the city, and there meet him whom God had appointed to be their bishop;' which was this Alexander, a stranger from Cappadocia, coming upon other business to Jerusalem. He was indeed bishop of another place before, but his translation to the see of Jerusalem was wholly by divine direction; which is the thing I allege it for. We have another such instance in the election of Alexander, surnamed Carbonarius, bishop of Comana, mentioned by Gregory Nyssen in the Life of Gregory Thaumaturgus. This Alexander was a Gentile philosopher, and a very learned man, who upon his conversion to Christianity, that he might avoid observation, and follow his philosophical studies with the greater privacy, in his great humility betook himself to the trade of a collier, whence he had the name of Carbonarius. Now it happened, upon the vacancy of the bishopric of Comana, that the citizens sent to Gregory Thaumaturgus to desire him to come and ordain them a bishop; but they not agreeing in their choice, one, by way of jest and ridicule, proposed Alexander the collier; who being discovered[13] by special revelation to Gregory Thaumaturgus to be a man of extraordinary virtues and worth, who had submitted to that contemptible calling only to avoid being taken notice of, and being found, upon a due inquiry, to be the man he was represented to be, was

[12] L. 6. c. 11. (v. 1. p. 268. 17.) *Καὶ δὴ μηκέθ' οἷόν τε ὄντος λειτουργεῖν διὰ λιπαρὸν γῆρας, τὸν εἰρημένον Αλέξανδρον ἐπίσκοπον ἑτέρας ὑπάρχοντα παροικίας, οἰκονομία Θεοῦ ἐπὶ τὴν ἅμα τῷ Ναρκίσσῳ λειτουργίαν ἐκάλει, κατὰ ἀποκάλυψιν νύκτωρ αὐτῷ δι' ὁράματος φανεῖσαν· ταύτῃ δ' οὖν ὥσπερ κατά τι θεοπρόπιον ἐκ τῆς τῶν Καππαδοκῶν γῆς, ἔνθα τὸ πρῶτον τῆς ἐπισκοπῆς ἠξίωτο, τὴν πορείαν ἐπὶ τὰ Ἱεροσόλυμα εὐχῆς καὶ τῶν τόπων ἱστορίας ἕνεκεν πεποιημένον, φιλοφρονέστατα οἱ τῇδε ὑπολαβόντες ἀδελφοί· οὐκέτ' οἴκαδε αὐτῷ παλινοστεῖν ἐπιτρέπουσι, καθ' ἑτέραν ἀποκάλυψιν καὶ αὐτοῖς νύκτωρ ὀφθεῖσαν, μίαν τε φωνὴν σαφεστάτην τοῖς μάλιστα αὐτῶν σπουδαίοις χρήσασαν· ἐδήλου γὰρ προελθόντας ἔξω πυλῶν τὸν ἐκ Θεοῦ προωρισμένον αὐτοῖς ἐπίσκοπον ὑποδέξασθαι.*

[13] Greg. Nyssen. ap. Vit. Greg. Thaumaturg. (t. 3. p. 562 a.) *Εἰ ταῦτα κελεύεις, κ. τ. λ.*

thereupon unanimously chosen by all the Church to be their bishop, and immediately ordained by St. Gregory. Cyprian often speaks of this divine designation in the case of Celerinus[14] and Aurelius[15], when they were but to be ordained readers. And he says also[16] 'he had a divine direction to translate Numidicus from another Church to the Church of Carthage.' And Sozomen[17] tells us, from Apollinarius, 'that Alexander, bishop of Alexandria, appointed Athanasius his successor by divine command. For some time before his death it was signified to him by divine revelation that no one should succeed him but Athanasius; and therefore when he lay upon his death-bed he called Athanasius by name, who was then absent, and fled for fear of being made bishop; and, another of the same name who was present answering to the call, he said nothing to him, but called Athanasius again; which he did several times, whereby it was at last understood that he meant the Athanasius that was fled, to whom, though absent, he then prophetically said, Thinkest thou that thou art escaped, Athanasius? No; thou art not escaped.' It were easy to add many other instances of the like nature, but these are sufficient to shew against Combefis, that in those early ages men were sometimes designed to the ministry by particular divine revelation and prophecy, or else the ancients themselves were wonderfully deceived.

Whilst I am upon this head, I must suggest two things further. First, that a dove's lighting upon the head of any man at an election was usually taken for a divine omen; and commonly the person who had that sign was looked upon as pointed out by the Spirit, and accordingly chosen before all others as having a sort of emblem of the Holy Ghost. Eusebius[18] observes, it was

[14] Ep. 34. [al. 39.] ad Cler. Carth. (p. 223.) Referimus ad vos Celerinum fratrem nostrum ..... clero nostro non humana suffragatione, sed divina dignatione conjunctum. Qui cum consentire dubitaret, ecclesiæ ipsius admonitu et hortatu in visione per noctem compulsus est, ne negaret nobis suadentibus, &c.

[15] Ep. 33. [al. 38.] (p. 222.)..... Exempla non sunt testimonia humana, cum præcedunt divina suffragia

[16] Ep. 35. [al. 40.] (p. 225.)..... Admonitos nos et instructos sciatis dignatione divina, ut Numidicus presbyter adscribatur presbyterorum Carthaginiensium numero.

[17] L. 2. c. 17. (v. 2. p. 66. 8.)... Ἀλέξανδρος Ἀλεξανδρείας ἐπίσκοπος, διάδοχον αὐτοῦ κατέλιπεν Ἀθανάσιον, θείαις προστάξεσιν, ὡς ἡγοῦμαι, ἐπὶ αὐτὸν ἀγαγὼν τὴν ψῆφον.

[18] L. 6. c. 29. (v. 1. p. 294. 7.)... Ὁ Φαβιανὸς παρὼν, οὐδενὸς μὲν ἀνθρώπων εἰς διάνοιαν ἦει· ὅμως δ' οὖν

this that turned the election upon Fabian bishop of Rome, and gave him the preference before all others, though he was a stranger. 'No one at first thought of choosing him, but a dove being observed by the people to settle upon his head, they took it for an emblem of the Holy Ghost, which heretofore descended upon our Saviour in the form of a dove; and thereupon with one consent, as if they had been moved themselves by the Holy Ghost, they cried out *ἄξιον, he was worthy,*' which was the word then used to signify their consent; 'and so without more ado they took him and set him upon the bishop's throne.' The election of Severus bishop of Ravenna, and that of Euortius bishop of Orleans, were determined the same way, as Blondel[19] has observed out of their Lives in Surius; and

ἀθρόως ἐκ μετεώρου περιστερὰν καταπτᾶσαν ἐπικαθεσθῆναι τῇ αὐτοῦ κεφαλῇ μνημονεύουσι, μίμημα ἐνδεικνυμένην τῆς ἐπὶ τὸν Σωτῆρα τοῦ ἁγίου Πνεύματος ἐν εἴδει περιστερᾶς καθόδου· ἐφ' ᾧ τὸν πάντα λαὸν ὥσπερ ὑφ' ἑνὸς Πνεύματος θείου κινηθέντα ὁμόσε, προθυμίᾳ πάσῃ καὶ μιᾷ ψυχῇ, ἄξιον ἐπιβοῆσαι· καὶ ἀμελλήτως ἐπὶ τὸν θρόνον τῆς ἐπισκοπῆς λαβόντας αὐτὸν ἐπιθεῖναι.

[19] Apol. s. 3. (p. 426.) Anno circiter 345 veniens in ecclesiam [Ravennatem,] ubi erat populus cum sacerdotibus congregatus, quod esset vili et deformi opertus habitu, post templi ostium latitabat Severus, &c.—Conf. Sur. Vit. Sanctor. seu de SS. Histor. Febr. 1. (t. 1. p. 809.) Accidit, ut Ravennæ episcopus ex hac vita migraret, et ecclesia illa pastore orbaretur. Conveniunt igitur frequentes episcopi et ex propinquis et remotis locis, ut tantæ civitati pontificem solito more præficerent atque consecrarent. Illis vero congregatis, Severus domi laborans, uxori dicit, Vadam ocius, et videbo quis sit futurus antistes noster. Cui uxor, Sede hic, inquit, et tuum negotium age. Nam si velis vacare otio, non erit in rem nostram. Sive vero tu illic adsis, sive domo resideas, te pontificem non creabunt. Ille porro, Liceat mihi, ait, cum bona pace tua illuc ire. Respondit conjunx, Fac ut lubet; nam, sine dubio, simulatque fueris ingressus, episcopus ordinaberis. Dixit hoc illa salse et irridicule: sed vir Dei illico abüt; et veniens in ecclesiam, ubi erat populus cum sacerdotibus congregatus, quod esset vili et deformi opertus habitu, post templi ostium latitabat. Precibus vero pro more absolutis, ecce columba nive candidior e cœlo descendens ejus capiti insidet. Id ille conspicatus, columbam a se abigit: at illa per aëra circumvolitans tertio rediit super caput ejus, tamquam in columba diceret Spiritus Sanctus, Ad quem respiciam, nisi ad pauperculum et contritum spiritu, et trementem sermones meos? Ea autem res stuporem attulit omnibus, qui ibi tum aderant e clero et populo, et in commune laudes gratesque egerunt Deo, bonorum omnium largitori. Mox igitur productus est e suo latibulo vir sanctus, et vel invitus raptus ad sedem pontificiam, unctusque oleo exsultationis et unguento sacri chrismatis, ut fieri solet ad eam dignitatem vocatis.—Sur. ibid. Sept. 7. (t. 5. p. 124.) Ubi eo [ad ecclesiam S. Stephani Aureliæ] ventum est, Euortius tamquam ignotus stat juxta ostiarium. Paulo post jubent episcopi obserari fores; et ipsi, humi prostrati, cum multo gemitu et lacrimis rogant Deum, ut indicet quem velit ordinari episcopum. Conjungebat vero etiam suos gemitus

the inquisitive reader may furnish himself with other instances from his own observation. The other thing I would suggest is, that sometimes an accidental circumstance was so providentially disposed, as to be taken for an indication of the divine will, and approbation of an election. Sulpicius Severus makes this observation particularly upon a circumstance that happened in the election of St. Martin, bishop of Tours. Some of the provincial bishops, who were met at the place, for very unjust reasons opposed his election; and more especially one, whose name was Defensor, was a violent stickler against him. Now it happened that the reader, who was to have read that day, not being able to get in due time to his place, by reason of the press and crowding of the people, and the rest being in

populus universus, jurgiorum finem petens a Domino, et exspectans quid dicturi essent episcopi. Illis ergo sic orantibus et plangentibus, columba, divinitus missa, per fenestram mirabili splendore radiat: atque in ecclesiam involans, cum claro strepitu totam fere ædem pervagatur, tamquam investigans quippiam. Cernens autem beatum Euortium januæ inhærentem in ejus capite residet. Ille vero manibus eam abigit. Eo signo valde permotus populus tanto instantius orabat Dominum, ut illum Spiritum mitteret, qui in columba in Christum baptizatum descendit. Columba autem, ut se suo functam ministerio ostenderet, per ostium, quo ingressa erat, rursus avolavit. Tum vero perstrepens populus lætitiæ effertur: episcopi vero et ordines omnes accurate perquirunt, quisnam ille sit, in cujus capite columba sederit? Ibi rursus quædam exstitit et sermonum et hominum discrepantia, aliis dicentibus, ostiarium esse: aliis vere non ostiarium, sed ejus similem quemdam. Iterum ergo ad preces redeunt sacerdotes, rogantque Dominum, ut jubeat redire denuo columbam. Non sprevit Deus illorum preces: columba redit, per omnem fere ecclesiam circumvolitat, et tandem in caput beati Euortii advolat. Ille, rei novitate perterritus, rursus eam repellit, eaque repulsa exit e templo. Exoritur populi strepitus; jubent episcopi hominem, in quo tantum miraculum visum esset, ad se accedere; rogant ab eo, quibus ex locis eo venerit? aut quo proficisci velit? Respondet ille, quemadmodum jam ante responderat ostiario. Illi igitur, se exauditos a Domino sentientes, gratias ei agunt, quod ex ea urbe ad ipsos pastorem miserit, ex qua priscis temporibus religionis propagandæ causa piissimos prædicatores misisset. Deinde præcipiunt beatissimo Euortio, ut cum ipsis ad orationem se submittat, et in altare caput immittat: orantque Dominum, ut tertio miraculo ostendere velit, num ille sit, quem elegit ad ecclesiam illam tuendam ac fovendam. Nondum finierant preces, et ecce columba, plausu ingenti alas concutiens, ad locum, in quo prius vir Dei steterat, se confert; et eum non inveniens, tamquam inquirens ubi sit, coram omnibus circumvolitat. Erant tum ibi non pauci episcopi, qui dicerent acciri debere etiam eos, quorum electio ecclesiam illam vulnerasset, ut viderent, num illis præsentibus ad Euortium columba se reciperet. Acciti sunt igitur, et cum starent cum Euortio inter episcopos, columba circumvolitans sensim ferebatur in sublime, tandemque se submittens, in unius Euortii capite requievit. Tum omnes acclamarunt, dignum illum esse sacerdotio, quippe quem ipse Dominus eligeret, &c.

a little confusion upon that account, one of those that stood by, taking up a book, read the first verse that he lighted upon, which happened to be those words of the 8th Psalm, "Out of the mouth of babes and sucklings thou hast perfected praise, because of thine enemies, *that thou mightest destroy the enemy and defensor.*" For so it seems the vulgar Gallican translation then read it, — *ut destruas inimicum et defensorem.* These words were no sooner read but the people gave a shout, and the adverse party were confounded. 'And so,' says our author[20], 'it was generally believed that this Psalm was read by divine appointment, that Defensor the bishop might hear his own work condemned, whilst the praises of God were perfected, in St. Martin, out of the mouth of babes and sucklings, and the enemy was at once both discovered and destroyed.'

By what has been said the reader now will be able to judge of the meaning of the ancients when they speak of particular divine designations of persons to the ministry of the Church.

The fourth way by common suffrage and election.

4. The fourth and last way of designation was *by the ordinary course of suffrage and election* of the Church: the method of which in general was so accurate and highly approved, that one of the Roman emperors, though an heathen, thought fit to give a great character and encomium of it, and propose it to himself as an example proper to be imitated in the designation and choice of civil officers for the service of the empire. For so Lampridius[21] represents the practice of Alexander Severus. 'Whenever he was about to constitute any governors of provinces, or receivers of the public revenues, he first proposed their names, desiring the people to make evidence against them, if any one could prove them guilty of any crime; but if

[20] Sulpic. Sever. Vit. B. Martin. c. 7. p. 225. (p. 472.) Ita habitum est, divino nutu Psalmum hunc lectum fuisse, ut testimonium operis sui Defensor audiret, quia ex ore infantium atque lactentium in Martino Domini laude perfecta, et ostensus pariter et destructus est inimicus.

[21] Vit. Alexandr. Sever. c. 45. (int. Aug. Hist. Scriptor. p. 570.) Ubi aliquos voluisset vel rectores provinciis dare, vel præpositos facere, vel procuratores, id est, rationales, ordinare, nomina eorum proponebat, hortans populum, ut si quis quid haberet criminis, probaret manifestis rebus; si non probasset, subiret pœnam capitis: dicebatque grave esse, quum id Christiani et Judæi facerent in prædicandis sacerdotibus, qui ordinandi sunt, non fieri in provinciarum rectoribus, quibus et fortunæ hominum committerentur et capita.

they accused them falsely, it should be at the peril of their own lives; saying, it was unreasonable, that, when the Christians and Jews did this in propounding those whom they ordained their priests and ministers, the same should not be done in the appointment of governors of provinces, in whose hands the lives and fortunes of men were intrusted.' This argues, that all imaginable care was taken in the election of Christian ministers, since their practice in this respect has such ample testimony from the heathens. And indeed all modern writers agree upon the matter in general, that anciently elections were made with a great deal of caution and exactness: but as to the particular methods that were used, men are strangely divided in their accounts of them; by which means, there is no one subject has been rendered more intricate and perplexed than this of elections, which has even frighted some from attempting to give an account of it. But I must not wholly disappoint my readers through such fears; and therefore I shall briefly acquaint them with the different sentiments of modern authors, who have handled this subject, and then clear what I take to be the true state of the case, from evident proofs of ancient history, which shall be the business of the next chapter.

CHAP. II.

A more particular account of the ancient method and manner of elections of the clergy.

The different opinions of learned men concerning the people's power anciently in elections.

1. The grand question in this affair, upon which learned men are so much divided, is concerning the persons who had a right to vote in the elections of the clergy. Some think the people were never allowed any other power save only to give their testimonials to the party elected, or to make objections, if they had any just and reasonable exceptions, against him; so Habertus[22], and Sixtus Senensis[23], and Bellarmin[24]. Others

[22] Archierat. ad Rit. Elect. observ. 1. (p. 436.).... Plena illa et absoluta per populum electio, nunquam ecclesiæ præsertim Græciæ placuit; bene quidem consensus plebis et approbatio, vel etiam postulatio, sed electio neutiquam.

[23] Biblioth. S. l. 5. annot. 118. (t. 2. p. 88 d. 9.) ... Si recte utriusque doctoris [Origenis et Cypriani] verba expendantur, neuter eorum jus eligendi episcopum populo attribuit; sed hoc tantum fuisse indicant a rectoribus ecclesiæ plebi concessum, ut ipsi, populo præsente, sub oculis omnium delegerentur, ut digni atque idonei publico judicio comprobarentur, ne ulla post ordinationem retractandi occasio remaneret: unde et Lampridius, scriptor

say the people were absolute and proper electors, and that from apostolical right, which they always enjoyed for a succession of many ages. This opinion is advanced, and with great show of learning asserted by Blondel[25], against Sancta Clara and the rest of the other opinion. De Marca[26] takes a middle way between those two extremes: he says the people had as much power anciently as any of the clergy below bishops; that is, their consent was required in the promotion of a bishop as well as their testimony; yet he will not allow this to be called electing: for the designation *election* or *judgment*, he says, still belonged only to the metropolitan, together with the synod of provincial bishops. And though we read sometimes of their giving their vote or suffrage; yet that, he says, 'is only to be understood of suffrage of consent, not the suffrage of election.' But Mr. Mason[27], in answer to Pamelius, who had advanced something of this notion before De Marca, rejects this as a deluding distinction, and asserts that the people had properly a voice or suffrage of election; and he quotes Bishop Andrews[28] for the same opinion. Yet he does not carry the point so high as to maintain with Blondel, that it was of unalterable right, but left by God as a thing indifferent, to be ordered by the discretion of the Church, so all things be done

a nostra religione alienus, in Vita Alexandri Augusti refert consuevisse prius nomina eorum, qui ecclesiæ præficiendi erant, proponi palam, ut si quid contra eum populus haberet, id in medium proferret, &c.

[24] De Cler. l. 1. c. 7. (t. 2. p. 246 d.) Jus eligendi summum pontificem cæterosque ecclesiæ pastores et ministros, non convenit populo jure divino. Sed si quid aliquando in hac re populus potuit, id totum habuit ex conniventia vel concessione pontificum, &c.

[25] Apol. s. 3. (pp. 379, seqq.) Novatianum a Novato, &c.

[26] De Concord. l. 8. c. 2. n. 2. (p. 1112.) Ceterum si negotium istud referatur ad primam originem, morumque vetustæ ecclesiæ et antiquorum canonum ratio habeatur, constans est illa sententia, quæ solum testimonium et consensum designandi episcopi clero et populo tribuit; ipsam vero designationem sive electionem et judicium metropolitano una cum synodo provincialium episcoporum. In quo testimonio dando non reperio discrimen aliquod constitutum a veteribus inter clerum civitatis et populum. Æquo enim jure hac in parte utebantur, et utriusque consensus ad suscipiendum episcopum exspectandus erat. Tota quippe, ut jam dixi, auctoritas erat penes episcopos, et præcipue penes metropolitanum, qui rebus gestis τὸ κῦρος adhibebat, ut loquitur Synodus Nicæna.

[27] Consecration of Bishops, b. 4. ch. 4. (pp. 159, 160.) Yet the suffrages of the people, &c.

[28] Respons. ad Apol. Bellarmin. c. 13. (p. 313.) Præsentia quidem plebis apud Cyprianum includit testimonium de vita, nec excludit suffragium de persona, &c.

honestly and in order. And this seems to have been the opinion of Spalatensis[29], Richerius[30], Justellus[31], Suicerus[32], and some other learned men of both Churches. Others there are who distinguish between the times preceding the Council of Nice and those that followed after; for they think, whatever power was allowed the people in the three first ages, was taken away by that Council, and the Councils of Antioch and Laodicea that followed not long after. So Schelstrate[33], in his

[29] De Republ. Eccles. l. 3. c. 3. n. 42. (t. 1. p. 411 d. 10.) Et quoniam qui excludunt plebem nostri ab electionibus episcoporum, plebis partes non alias ponunt antiquitus, nisi ut testimonium reddat de vita et moribus promovendi: ut errare se cognoscant, si non sint satis tot testimonia jam allata, in quibus multo plus tribuitur plebi quam tale testimonium; legant Acta Concilii Chalcedonensis ... legant etiam Alcuinum, [de Divin. Offic. c. 36.] ubi sic scribit; *Cum episcopus civitatis fuerit defunctus, eligitur alius a clero seu populo, &c.*

[30] Hist. Concil. l. 1. c. 12. n. 18. (p. 389.) C. 22. [C. 4. Constant.] sic habet: *Promotiones atque consecrationes, &c.* .... Huic canoni concordat 12. .... ad cujus intelligentiam Cardinalis Cusanus, (lib. 2. de Concordantia, cap. 32.) demonstrans invitis dari non posse episcopum: quam in rem laudat Can. de Neptis 31, quæst. 2, quo docetur, sicut in matrimonio carnali, sic in ecclesia, unum corpus spirituale constitui debere ex episcopo et plebe, ac proinde consensum necessarium videri: quoniam non dubium, inquit, inter episcopum et ecclesiam matrimonium esse, (3. quæst. 1. can. *Audivimus.*) et propterea (1. quæst. 1. can. *Ordinationes,*) dici ordinationes, quæ non fiunt communi consensu cleri et populi secundum canonicas sanctiones, et ab iis, ad quos consecratio pertinet, non comprobari et falsas judicari; quoniam qui taliter ordinantur, non per ostium, id est, per Christum intrant, sed, ut ipsa veritas testatur, fures sunt et latrones. Et ratio hujus est, quoniam consensus de essentia matrimonii est. Diversitas enim ordinum præpositorum et subjectorum pro conservatione reipublicæ ordinata est; ut dum reverentiam exhibent minores potioribus, et potiores minoribus dilectionem, vera concordia ex diversitate contexeretur, ut recte officiorum gereretur administratio; ut Dist. 89. can. *Ad hoc,* et Dist. 45. can. *Licet.* Igitur ex concordantia subsistit ecclesia. Quare invitis præses non recte præponitur, de quo pulcre Dist. 95. can. *Esto.* Sed oportet quod ille, qui præest, ab omnibus quibus præest constituatur, tacite vel expresse: sin autem aliter præsumtum fuerit, viribus carere dubium non est, quia irritum est: Dist. 66. can. *Archiepiscopus:* qui dicit alibi, Oportet ut ille, qui omnibus præesse debet, ab omnibus eligatur, &c.

[31] Not. in c. 6. C. Chalced. (t. 1. p. 92.) Is fuit vetus mos ecclesiæ in episcopis ordinandis, ut rogarentur suffragia non modo cleri, sed etiam populi, atque ut omnium de eo, qui ordinandus erat, judicia sciscitarentur, illius nomen plebi publice proponebatur, facta omnibus potestate quidquid vellent eis objiciendi, &c.

[32] [Thes. Eccles. in voce ἐπίσκοπος. (t. 1. p. 1181 a.) Antiquissimis temporibus episcopi a tota ecclesia, ex pastoribus et plebe composita, fuerunt electi. .... Usque ad Innocentium II. mos ille in Ecclesia Romana fuit observatus, ut plebis consensus in electionibus et suffragium requireretur. Ed.]

[33] C. Antioch. Restitut. ap. Schol. in c. 19. (p. 599.) Canon innovat quartum Nicænum, et eadem statuit cum duodecimo Laodiceno: id quod

Dissertations upon the Council of Antioch, where he quotes Christianus Lupus and Sirmond for the same opinion. But this is exploded as a groundless fiction, not only by Spalatensis[34] and Bishop Pearson[35], but also by Richerius[36], Cabassutius[37], Valesius[38], Petavius[39], De Marca[40], and other learned persons

statuit, ubique observatum fuit a tempore Nicæni Concilii, a quo omnes fatentur plebis suffragia non amplius fuisse in usu.

[34] De Republ. Eccles. part. 1. l. 3. c. 3. n. 12. (p. 402. a. 10.) Jam vero post concilium Nicænum, in electionibus eumdem prorsus veterem morem perpetuo ecclesiam ad nostra pene tempora servasse, ut a clero et populo fieret, ex patribus et rebus gestis; ex conciliis et juribus; ex Rom. pont. attestationibus et decretis, jam sumo probandum, &c.

[35] Vindic. Ignat. part. 1. c. 11. (Cotel. v. 2. p. 324.) O præclaram et subtilem distinctionem, &c.

[36] Hist. Concil. l. 1. c. 2. n. 7. (p. 18.) Notandum contra Valesium (tertia parte libri de Suprema Potestate Papæ, quæstione sexta, circa medium, ubi canonem quartum Nicænum explicat,) patres Nicænos non abstulisse populo jus eligendorum episcoporum, sed tantum præcepisse electionem populi et cleri a metropolitano confirmari, et ab episcopis provinciæ fieri oportere. Nam dehinc semper populus in sua possessione eligendi pastores continuavit, idque hac synodali epistola clare ostenditur, ubi nominatim habetur episcopum Alexandriæ debere populi electionem confirmare.

[37] Notit. Concil. c. 17. [ad c. 4. C. Nicæn.] p. 83. (p. 109.) Nullatenus hic audiendus Theodorus Balsamon, scribens in hunc can. 4, episcopos olim quidem fuisse ab universa plebe electos. Quia tamen in hisce popularibus comitiis multa jactabantur indecora in eos, quorum proponebatur electio, fuisse isto Nicæno canone consuetudinem illam abrogatam, statutumque ut soli episcopi eligerent. Sed errat Balsamon, cum nullum hic appareat abrogationis vestigium; et constet peræque post Nicænum concilium, ut prius, admissa in episcopis eligendis populorum suffragia: sic tamen ut moderationi et regimini subessent episcoporum. Quemadmodum in Atheniensium olim republica πρόεδροι popularibus suffragiis præerant, ut docet Julius Pollux, l. 8.

[38] Not. in Euseb. l. 6. c. 43. (v. 1. p. 314. n. 3.) Presbyteri olim ab episcopo ordinari non poterant sine consensu cleri et populi. Ac de populi quidem suffragio in electione presbyterorum testantur patres concilii Nicæni in Epistola Synodica ad episcopos Ægypti (d. 1.) Denique adeo necessarium fuit plebis suffragium in electione presbyterorum, ut sæpenumero in ecclesia plebs tumultuosis vociferationibus presbyterum aliquem fieri postularet et cogeret, &c.

[39] Not. in Synes. Ep. 67. (p. 56.) Quo in canone [Nicæno 4.] de episcopi creatione ipsa, sive electione, agitur; quæ ita populi suffragiis permitti solebat, ut iis moderandis ac gubernandis adessent, imo præessent episcopi. Nec audiendus Balsamo, qui ad hunc canonem observat, 'Olim quidem episcopos a populo consuevisse deligi; sed quod in suffragiis ferendis, de eorum vita quædam interdum minus decora et honesta jactarentur, morem illum hoc canone abrogatum fuisse; ac deinceps statutum, ut ab episcopis ea fieret electio.' Quo nihil dici potest absurdius. Non enim popularia suffragia Nicænus iste canon sustulit; sed his, uti dixi, moderandis, vel cum illis etiam episcoporum auctoritatem jussit adhiberi. Quemadmodum Athenis popularibus concionibus aderant πρόεδροι, ut docet Julius Pollux, lib. 8, et Harpocratio. Quin etiam multo post Nicænum concilium tempore perseveravit in ecclesia, ut a populo

of the Roman communion, who think the fathers of the Nicene Council made no alteration in this matter, but left all things as they found them. Some again distinguish between the election of bishops and the other clergy, and say the people's consent was only required in the election of bishops, but not in the promotion of the inferior clergy. So Cabassutius[41] and Bishop Beveridge[42], who reckons this so clear a point, that there is no dispute to be made of it. Yet Valesius disputes it, and asserts the contrary[43], 'that anciently presbyters were not to be or-

crearentur episcopi; idque et pontificum Romanorum et conciliorum decreta sanxerunt.

[40] De Concord. l. 8. c. 3. n. 4. (p. 1117.) Ex quibus canonibus [c. Nicæn. 4, Antioch. 19, Laodic. 13.] aperte conficitur, episcoporum promotionem judicio synodi plenissime permissam. Et ne consultatio, quæ cum clero et plebe habenda est, auctoritate canonis fulta, contumaces redderet civium animos episcoporum judicio, ejus mentio omissa est in canonibus; relicta interim consuetudine jam recepta de tractatu electionis habendo cum clero et plebe civitatis. Jus itaque episcoporum canone firmatum est. Quod pertinet ad populum, consuetudini relictum est.

[41] Notit. Concil. c. 36. (Ed. Lugdun. 1670. p. 196. et Venet. 1703. p. 136.) Probatum invictis testimoniis fuit superius ad Nicænum canonem quartum, ad episcoporum electionem admissa olim fuisse plebis suffragia. Secus tamen fieri solitum fuit circa minorum sacerdotum et inferiorum ecclesiæ ministrorum electionem, ut ex isto canone decimo tertio perspicuum sit. Populi quidem testimonium de vita et moribus ordinandi requirebatur. Juxta illud 1 Tim. 3. oportet illum et testimonium habere bonum ab iis, qui foris sunt. Quin immo nonnumquam populus ipse aliquem proponebat, et postulabat ordinari: testatur enim Paulinus, Ep. 45, se Barcinone in Hispania fuisse ab episcopo Lampio initiatum clero, et [illegible] ad illius populi postulationem. Item refert Aug., Ep. 225, fuisse Pimanum ab Hipponensi populo instanter postulatum, ut ad clerum promoveretur. Insuper, ne quid huc pertinens omittatur, Actuum Apost. 1, non soli Apostoli, sed tota ecclesia Matthiam elegit, et Joseph Barsabam, ut ex eis unus adsumeretur. Et Act. 6. credentium convocata multitudo septem diaconos elegit. Verum ad illud primum caput testatur Chrysostomus, Petrum potuisse quidem per se ipsum merito eligere, sed maluisse per modestiam et prudentiam universæ ecclesiæ gratificari. Postulationis autem, quæ fiebant episcopis a populo, nihil habuisse præter supplicationes: neque jus ullum, aut obligationem induxisse, certum est. [Differently worded in the larger editions, Lugd. 1680. (p. 153.) and 1685. (p. 152.) n. 9. ad c. 13. Synod. Laodic. sub Damaso. ED.]

[42] Not. in c. 6. C. Chalced. ad vocab. ἐπικηρύττοιτο. (t. 2. append. p. 113.) Non quidem inficias eam, quin ἐπικηρύττω sæpius *palam et per præconem aliquid denuntiare et prædicare* significet, neque etiam me latet, suffragia olim cleri populique publice rogata esse, priusquam episcopus ordinaretur: sed qua tamen ratione Christophorus Justellus hanc vocem eo sensu hic usurpari asseruerit, non video. Etiamsi enim episcoporum nomina publice proposita fuerint priusquam antiquitus ordinarentur; idem tamen in presbyterorum, aliorumque inferiorum clericorum ordinationibus numquam obtinuisse, notius est, quam ut probatione indigeat, &c.

[43] See note 38, preceding.

dained by the bishop without the consent of the clergy and people.' Bishop Stillingfleet, who is one of the last that has considered this matter, gives us his sense in these following observations. First[44], 'that the main ground of the people's interest was founded upon the Apostle's canon, "that a bishop must be blameless and of good report;" and therefore,' he says[45], 'the people's share and concern in elections, even in Cyprian's time, was not to give their votes, but only their testimony concerning the good or ill behaviour of the person.' Secondly[46], 'that yet upon this the people assumed the power of elections, and thereby caused great disturbances and disorders in the Church.' Thirdly, 'that to prevent these, many bishops were appointed without their choice, and canons made for the better regulating of them.' Fourthly, 'that when there were Christian magistrates, they did interpose as they thought fit, notwithstanding the popular claim, in a matter of so great consequence to the peace of Church and State.' Fifthly, 'that upon the alteration of the government of Christendom, the interest of the people was secured by their consent in parliaments; and that, by such consent, the nomination of bishops was reserved to princes, and the patronage of livings to particular persons.'

In this great variety of judgments and opinion of learned men, it will be no crime to dissent from any of them; and therefore I shall take the liberty to review their opinions, and express impartially what I take to be agreeable or disagreeable in any of them to ancient history and the rules and practice of the Church.

2. And here, first of all, it will be proper to observe, that there was no one universal unalterable rule observed in all times and places about this matter; but the practice varied according to the different exigencies and circumstances of the Church, as will evidently appear in the sequel of this history. In the meantime, I conceive the observation made by De Marca thus far to be very true: 'that whatever power the inferior clergy enjoyed in the election of their bishop, the same was generally allowed to the people, or whole body of the Church, under the regulation and conduct of the metropolitan

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[44] Unreasonableness of Separation, part 3. s. 25. p. 312. (v. 2. p. 611.)

[45] Ibid. p. 316. (p. 613.) And this is plain even from St. Cyprian, &c.

[46] Ibid. p. 317. (p. 614.) That the people, &c.

and synod of provincial bishops.' For their power, whatever it was, is spoken of in the very same terms, and expressed in the same words. Some call it consent; others, suffrage or vote; others, election or choice; but all agree in this, that it was equally the consent, suffrage, vote, election, and choice both of clergy and people. Thus Cyprian[47] observes of Cornelius, 'that he was made bishop by the testimony of the clergy and suffrage of the people;' where it is evident the words *testimony* and *suffrage* are equally ascribed both to clergy and people. Socrates[48], speaking of the election of Chrysostom, says 'he was chosen by the common vote of all, both clergy and people.' And Theodoret describes the election of Eustatius, bishop of Antioch, after the same manner, when he tells us[49] 'he was compelled to take the bishopric by the common vote of the bishops and clergy and all the people.' Siricius[50] styles this 'the election of the clergy and people;' and Celestin[51], 'the consent and desire of the clergy and people;' and Leo[52], both 'the consent, and election, and suffrage' or votes 'of the people;' who adds, also, 'that in case the parties were divided in their votes, then the decision should be referred to the judgment of the metropolitan, who should choose him who had most votes, and greatest merit to recommend him.' From all which, and many other passages that might be alleged to the same purpose, it is very evident that the power of the clergy and people was equal in this matter, and that nothing was challenged by the one that was not allowed to the other also.

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3. And hence it appears further, that this conjunctive power of clergy and people was *not barely testimonial*, but, as bishop

[47] Ep. 52. [al. 55.] ad Antonian. p. 104. (p. 243.) Factus est ... autem Cornelius episcopus .. de clericorum pene omnium testimonio, de plebis, quæ tum adfuit, suffragio.

[48] L. 6. c. 2. (v. 2. p. 309. 23.) ... Ψηφίσματι κοινῷ ὁμοῦ πάντων, κλήρου τέ φημι καὶ λαοῦ, κ. τ. λ.

[49] L. 1. c. 7. (v. 3. p. 26. 30. ..... Ψήφῳ κοινῇ κατηνάγκασαν ἀρχιερεῖς τε καὶ ἱερεῖς καὶ ἅπας ὁ λεώς, ὁ φιλόχριστος.

[50] Ep. 1. ad Himer. Tarracon. c. 10. (CC. t. 2. p. 1021 d.) Presbyterium vel episcopatum [al. presbyterio vel episcopatui] si eum cleri ac plebis evocaverit electio, non immerito societur.

[51] Ep. 2. c. 5. (ibid. p. 1621 a.) Nullus invitis detur episcopus: cleri, plebis, et ordinis consensus et desiderium requiratur.

[52] Ep. 84. ad Anastas. c. 5. (CC. t. 3. p. 1385 a.) Cum de summi sacerdotis electione tractabitur, ille omnibus præponatur, quem cleri plebisque consensus concorditer postularit; ita ut si in aliam forte personam partium se vota diviserint, metropolitani judicio is alteri præferatur, qui majoribus et studiis juvatur et meritis, &c.

Andrews and Mr. Mason assert, a judicial and effective power, by way of proper suffrage and election; and that as well in the time of Cyprian as afterwards. For Cyprian speaks both of testimony and suffrage belonging to both clergy and people; and says further[53], 'that that is a just and legitimate ordination which is examined by the suffrage and judgment of all, both clergy and people.' So that they were then present at the choice of their bishop, not merely to give testimony concerning his life, but, as bishop Andrews words it, to give their vote and suffrage in reference to his person. Which observation will be further evidenced and confirmed by proceeding with the account of several rules and customs generally observed in these elections.

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4. One of these was, that no bishop was to be obtruded on any orthodox people against their consent. I say, *an orthodox people;* for in case the majority of them were heretics or schismatics, the practice was different, as will be shewed hereafter: but where they were all Catholics, and could agree upon a Catholic and deserving bishop, they were usually gratified in their choice, and no person was to be put upon them against their inclination. Sometimes the bishops in synod proposed a person, and the people accepted him: sometimes, again, the people proposed, and the bishops consented; and where they were unanimous in a worthy choice, we scarce ever find they were rejected. If they were divided, it was the metropolitan's care to unite and fix them in their choice, but not to obtrude upon them an unchosen person. This we learn from one of Leo's Epistles[54], where he gives us at once both the Church's rule and practice, and the reasons of it. 'In the choice of a bishop,' says he, 'let him be preferred whom the clergy and people do unanimously agree upon and require: if they be di-

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[53] Ep. 68, [al. 67.] ad Fratr. Hispan. p. 172. (p. 288.) Coram omni synagoga jubet Deus constitui sacerdotem, id est, instruit et ostendit ordinationes sacerdotales non nisi sub populi adsistentis conscientia fieri oportere, ut plebe præsente vel detegantur malorum crimina, vel bonorum merita prædicentur, et sit ordinatio justa et legitima, quæ omnium suffragio et judicio fuerit examinata.

[54] Ep. 84. ut supra. (CC. ibid. a.) Si in aliam forte personam partium se vota diviserint, metropolitani judicio is alteri præferatur, qui majoribus et studiis juvatur et meritis: tantum ut nullus invitis et non petentibus ordinetur, ne plebs invita episcopum non optatum aut contemnat, aut oderit, et fiat minus religiosa quam convenit, cui non licuerit habere quem voluit.

vided in their choice, then let the metropolitan give preference to him who has most votes and most merits: always provided, that no one be ordained against the will and desire of the people, lest they contemn or hate their bishop, and become irreligious or disrespectful, when they cannot have him whom they desired.' The transgression of this rule was objected as a great crime to Hilarius Arelatensis, by the emperor Valentinian the Third[55], 'that he ordained bishops in several places against the will and consent of the people, whom when they would not admit of, because they had not chosen them, he used armed force to settle them in their sees, introducing the preachers of peace by the violence of war.' Leo[56] objects the same thing to him, saying, 'that he ought to have proceeded by another rule, and first to have required the votes of the citizens, the testimonies of the people, the will of the gentry, and the election of the clergy: for he that was to preside over all, was to be chosen by all.' This evidently shews that the suffrage of the people was then something more than barely testimonial.

Secondly, this further confirmed from examples of the bishops' complying with the voice of the people, against their own inclination.

5. Another argument is, that in many cases the voices of the people prevailed against the bishops themselves, when they happened to be divided in their first proposals. Thus it happened in the famous election of St. Martin, bishop of Tours, which has been mentioned in the last chapter, sect. 3. The people were unanimously for him; Defensor, with a great party of bishops, at first was against him: but the voice of the people prevailed, and the bishops complied and ordained him. Philostorgius gives us such another instance. Demophilus, bishop of Constantinople, with some other bishops suspected of Arianism, meeting at Cyzicum, to ordain a bishop there, the people first made a protestation against them, 'that unless they would anathematize publicly Aëtius and Eunomius, both in word and writing, they should ordain no bishop there.' And when they

[55] Novel. 24. ad calc. Cod. Theod. (t. 6. append. p. 12.) .... Indecenter alios, invitis et repugnantibus civibus, ordinavit. Qui quidem, quoniam non facile ab his, qui non elegerant, recipiebantur, manum sibi contrahebat armatam .... et ad sedem quietis pacem prædicaturus [leg. prædicaturos] per bella ducebat.

[56] Ep. 89. ad Episc. Vienn. (CC. t. 3. p. 1398 c.) Expectarentur certe vota civium, testimonia populorum, quæreretur honoratorum arbitrium, electio clericorum. ..... Qui præfecturus est omnibus, ab omnibus eligatur.

had complied to do this, they still insisted on their privilege[57], 'that no one should be ordained but one of their own choosing;' which was one who, as soon as he was ordained, preached the catholic doctrine of the Ὁμοούσιον, that the Son was of the same substance with the Father. Ancient history will furnish the reader with many other instances of the like nature.

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6. Another evidence of the people's power in elections is the manner of their voting, or the way of giving their assent or dissent to the ordination of any person; which was threefold. For either, first, they were unanimous in their vote for or against a man, and then their way was to express their mind by a general acclamation, crying out with one voice, ἄξιος, or *ἀνάξιος*, *dignus* or *indignus*, as the word then was, *he is worthy* or *unworthy*. Instances of which form the reader may find in St. Ambrose[58], St. Austin[59], Eusebius[60], Philostorgius[61], Photius[62], the author of the Constitutions[63], and several others. Or else, secondly, they were divided in their choice, and then they expressed their dissent in particular accusations of the parties proposed, and sidings, and sometimes outrageous tumults. St. Chrysostom[64] reflects upon this way in his Books of the Priesthood, when he tells us, 'that in those popular solemnities,' which were then customarily held for the choice of ecclesiastical rulers, 'one might see a bishop exposed to as many accusations as there were heads among the people.' And the

[57] L. 9. c. 13. (v. 3. p. 531. 4. ... Οὐχ ἕτερόν τινα ταύτην ἐλθεῖν ἀναστχόμενοι, ἀλλ' ὃν αὐτῶν αἱ ψῆφοι προσέταττον.

[58] De Dignit. Sacerdot. c. 5. (t. 2. append. p. 363 a.) ... In ordinationibus eorum clamant et dicunt, 'Dignus es,' et 'Justus es.'

[59] Ep. 110. [al. 213.] (t. 2. p. 789 g.) Dignus et Justus est, dictum est vicies.

[60] L. 6. c. 29. See ch. 1. s. 3. the latter part of n. 18. p. 7.

[61] L. 9. c. 10. (v. 3. p. 530. 10.) ...Πολλοὶ δὲ τοῦ παρόντος ὄχλου, ἐν τῇ Δημοφίλου καθιδρύσει, ἀντὶ τοῦ Ἄξιος ἀνεβόων τὸ Ἀνάξιος.

[62] Biblioth. cod. 256. (p. 1413. 35.) Ὁ λαὸς μιᾷ φωνῇ σὺν αὐτῷ βασιλεῖ ἐπὶ πλείους ὥρας ἐβόα τὸ Ἄξιος.

[63] L. 8. c. 4. (Cotel. v. 1. p. 391.) ...Ἐκ τρίτου πάλιν πυθέσθωσαν, εἰ ἄξιός ἐστιν ἀληθῶς τῆς λειτουργίας.. καὶ συνθεμένων αὐτῶν ἐκ τρίτου ἄξιον εἶναι, ἀπαιτείσθωσαν οἱ πάντες σύνθημα, κ. τ. λ.

[64] De Sacerdot. l. 3. c. 15. (t. 1. p. 392 e.) Βούλει σοι καὶ ἕτερον ἐπιδείξω ταύτης τῆς μάχης εἶδος, μυρίων ἐμπεπλησμένον κινδύνων; ἴθι δὴ καὶ διάκυψον εἰς τὰς δημοτελεῖς ἑορτὰς, ἐν αἷς μάλιστα τῶν ἐκκλησιαστικῶν ἀρχῶν τὰς αἱρέσεις ποιεῖσθαι νόμος· καὶ τοσαύταις ὄψει κατηγορίαις τὸν ἱερέα βαλλόμενον, ὅσον τῶν ἀρχομένων τὸ πλῆθός ἐστι. πάντες γὰρ οἱ δοῦναι κύριοι τὴν τιμὴν, εἰς πολλὰ τότε σχίζονται μέρη· καὶ οὔτε πρὸς ἀλλήλους, οὔτε πρὸς αὐτὸν τὸν λαχόντα τὴν ἐπισκοπὴν, τὸ τῶν πρεσβυτέρων συνέδριον ὁμογνωμονοῦν ἴδοι τις ἄν· ἀλλ' ἕκαστος καθ' ἑαυτὸν ἑστήκασιν, ὁ μὲν τοῦτον, ὁ δὲ ἐκεῖνον αἱρούμενος.

account that is given not only by Ammianus Marcellinus[65], but by Socrates[66], and the other historians, of the tumult raised at Rome in the election of Damasus, shews that the people were indulged in something more than barely giving testimony, else they had hardly run into so great a heat and ungovernable tumult. There was also a third way of expressing their consent, which was by subscribing the decree of election for greater security, that no party might pretend afterward that they had not given assent to it. Thus it was in the election of Meletius, bishop of Antioch, who was chosen by common consent both of Catholics and Arians, each party presuming him to be of their own opinion. The election-paper was subscribed by all, Theodoret says[67], and put into the hands of Eusebius Samosatensis, which Constantius, when Meletius proved a Catholic, demanded to have had destroyed, but with all his menaces he could not extort it from him. St. Austin[68] gives the like account of the election of Eradius, his successor at Hippo, which for some reasons he got done in his own lifetime. He first ordered the notaries of the Church to take the acclamations of the people in writing, and then required all that could write to subscribe the instrument themselves. And this was the common way, whenever the metropolitan could not be present at the election; then the decree of the whole Church was drawn up in writing, and carried to him for his consent and approbation. The remains of which custom may still be seen in the ancient *Ordo Romanus*[69], where there is a form of a decree, which the clergy and people were to sign upon their choice of a

[65] L. 27. c. 3. (p. 480.) Damasus et Ursinus, supra humanum modum ad rapiendam episcopatus sedem ardentes, scissis studiis asperrime conflictabantur, ad usque mortis vulnerumque discrimina adjumentis utriusque progressis: quæ nec corrigere sufficiens Juventius nec mollire, coactus vi magna secessit in suburbanum. Et in concertatione superaverat Damasus, parte quæ ei favebat instante, &c.

[66] L. 4. c. 29. tot. (v. 2. p. 251. 20.)

[67] L. 2. c. 31. tot. (v. 3. p. 118. 5.)

[68] Ep. 110. [al. 213.] (t. 2. p. 798 e.) A notariis ecclesiæ, sicut cernitis, excipiuntur quæ dicimus, excipiuntur quæ dicitis, et meus sermo, et vestræ acclamationes in terram non cadunt.—Ibid. (p. 790 f.) ... Hoc ad ultimum rogo, ut gestis istis dignemini subscribere qui potestis.

[69] Ap. Bibl. Patr. t. 10. p. 104. (ap. Bibl. Max. t. 13. p. 708 b.) Tit. Decretum, quod clerus et populus firmare [al. formare] debet de electo episcopo. .... Ut omnium nostrum vota in hanc electionem convenire noscatis, huic decreto canonico promptissima voluntate singuli manibus propriis roborantes subscripsimus.

bishop, and present it to the metropolitan and the synod, in order to his consecration: in which case, if the metropolitan found him upon examination to be a person every way qualified, as they represented him, he then confirmed and ratified their choice, and so proceeded immediately to his ordination. All which argues that the people had something of a decisive power in elections, and that their suffrage was not merely testimonial.

Fourthly, from the use and office of interventors.

7. This is further evident from the use and office of interventors in the Latin Church, whose business was to promote and procure a speedy election of a new bishop in any vacant see, as I have had occasion to shew in another place[70]. For in the Roman and African Churches, upon the vacancy of a bishopric, it was usual for the metropolitan to grant a commission to some of his provincial bishops to go to the vacant church, and dispose the clergy and people to be unanimous in the choice of a new bishop; and when they were agreed, they petitioned the metropolitan by the interventor to confirm their choice, and with a synod of provincial bishops to come and ordain him whom they had elected. Or else they drew up an instrument in writing, subscribed both by the interventor and themselves, and presented the new elect bishop to the metropolitan, who ordained him in his own Church. This was the practice of the Roman province in the time of Symmachus and Gregory the Great, as appears from their Epistles, which give directions to the interventors, or visitors, as they call them, concerning their behaviour in the present case. 'Let no one,' says Symmachus[71], 'draw up an instrument of election without the presence of the visitor, by whose testimony the agreement of the clergy and people may be declared.' And Gregory, writing to Barbarus, bishop of Beneventum and visitor of the Church of Palermo, bids him[72] endeavour to make the clergy

[70] B. 2. ch. 15. v. 1. p. 170.

[71] Ep. 5. c. 6. (CC. t. 4. p. 1296 a.) Decretum sine visitatoris præsentia nemo conficiat, cujus testimonio clericorum ac civium possit unanimitas declarari.

[72] L. 11. Ep. 16. (CC. t. 5. p. 1521 a.). Dilectio tua ad prædictam ecclesiam [Panormitanam] ire properabit, et assiduis adhortationibus clerum plebemque ejusdem ecclesiæ admonere festinet, ut, remoto studio, uno eodemque consensu talem sibi præficiendum expetant sacerdotem, qui et tanto ministerio dignus valeat reperiri, et venerandis canonibus nullatenus respuatur. Qui dum fuerit postulatus cum solemnitate decreti omnium subscriptionibus roborati, et dilectionis tuæ testi-

and people unanimous in their presentation of a worthy person to be their bishop, who could not be rejected by the canons; and then drawing up their petition in form of a decree, signed with all their hands, and the letters testimonial of the visitor, they should send him to Rome for consecration.' Nothing can be plainer than that here the clergy and people made the choice of their bishop, with the assistance of a visitor or interventor, and then presented him to the metropolitan, who, if he had no canonical exception against him, confirmed their choice, and proceeded to his ordination.

Fifthly, from the custom of the people's taking persons, and having them ordained by force.

8. As a further evidence of this power and privilege indulged to the people, it may be observed likewise, that it was customary in those days for the people in many places to lay violent hands upon persons, and bring them by force to the bishop to be ordained. Thus Possidius[73] tells us it was in the ordination of St. Austin: 'the people seized him and brought him to the bishop, requiring, with one voice, that he would ordain him presbyter, whilst he in the mean time wept abundantly for the force that was put upon him.' Paulinus[74] says the same of himself, 'that he was ordained presbyter by force and the irresistible violence of an inflamed and zealous people.' And there are many other instances of the like nature.

Sixthly, from the title of *fathers*, which some bishops upon this account by way of compliment gave to their people.

9. I observe but one thing more relating to this matter, which was the compliment that some bishops passed upon their people upon this account, styling them *fathers*, in regard to the share and influence they had in their designation and election. St. Ambrose himself[75], speaking to his people, addresses himself to them in this style: 'Ye are my fathers, who chose me to be bishop; ye, I say, are both my children and fathers; children in particular, fathers all together.' In which words he plainly refers to that providential consent of the people of

monio literarum, ad nos sacrandus occurrat.

[73] Vit. August. c. 4. (t. 10. append. p. 260 c.) Eum ergo tenuerunt, et, ut in talibus consuetum est, episcopo ordinandum intulerunt, omnibus id uno consensu et desiderio fieri perficique petentibus, magnoque studio et clamore flagitantibus, ubertim eo flente, &c.

[74] Ep. 35. [al. 24.] int. Epp. August. (t. 2. p. 35 e.) ... A Lampio apud Barcilonem in Hispania, per vim inflammatæ subito plebis, sacratus sum.—Vid. Paulin. Ep. 6. ad Sever. p. 101.

[75] In Luc. l. 8. c. 17. [corrige, c. 18. v. 20.] (t. 1. p. 1489 e.) Vos enim mihi estis parentes, qui sacerdotium detulistis: Vos, inquam, filii vel parentes, filii singuli, universi parentes.

Milan, who, when they were divided before into several factions, as soon as Ambrose was named, all unanimously conspired together in his election. These are some of those collateral evidences that may be brought to prove that anciently the clergy and people joined in a common vote in the election of their bishop, and that their suffrage was something more than testimonial, especially in the fourth and fifth ages, in the Latin Church; where, as De Marca owns, the people's request was chiefly considered.

What power the people had in the designation of presbyters

10. Nor was this privilege only indulged them in the election of their bishop, but sometimes in the designation of presbyters also. For St. Austin and Paulinus were but to be ordained presbyters, when that forcible constraint just now spoken of was laid upon them by the people. Besides, St. Jerom says expressly[76], 'that presbyters and the other clergy were as much chosen by the people as the bishops were.' And Possidius[77] notes this to have been both the custom of the Church and St. Austin's practice in the ordinations of priests and clerks, to have regard to the majority or general consent of Christian people. And Siricius, who speaks the sense and practice of the Roman Church, says[78], 'that when a deacon was to be ordained either presbyter or bishop, he was first to be chosen both by the clergy and people.' And therefore I cannot so readily subscribe to the assertion of those learned men, who say that bishops before their ordination were propounded to the people, but not presbyters or any other of the inferior clergy.

Whether the Council of Nice

11. As to those who assert that the people were anciently indulged in these matters before the Council of Nice, but that

[76] Ep. 4. [al. 125.] ad Rustic. (t. 1. p. 938 d. e.) .. Cum te vel populus vel pontifex civitatis in clerum elegerit, agito quæ clerici sunt.—In Ezek. l. 10. c. 33. p. 609. (t. 5. p. 396 a.) ... Speculator ecclesiæ, vel episcopus vel presbyter, qui a populo electus est.

[77] Vit. August. c. 21. (t. 10. append. p. 272.) In ordinandis vero sacerdotibus et clericis consensum majorem Christianorum et consuetudinem ecclesiæ sequendam esse arbitrabatur. [Tres MSS., Fossatensis, Vedastinus, et Cisterciensis, *majorum*. De sacerdotum ordinatione Cyprianus in Epistola ad clerum et plebem Hispaniarum scripta, quæ novæ editionis est ordine 67, *Sit ordinatio*, inquit, *justa et legitima, quæ omnium suffragio et judicio fuerit examinata*. Et ibidem Sabini episcopi ordinationem laudat *de universæ fraternitatis suffragio factam*. Ed. Bened. in loc. ED.]

[78] Ep. 1. ad Himer. Tarracon. c. 10. (CC. t. 2. p. 1021 d.) Exinde jam accessu temporum presbyterium vel episcopatum, si eum cleri ac plebis evocarit electio, non immerito sortietur.

made any alteration in these matters.

their power was abridged by a new decree of that Council, they are evidently under a mistake. For it is certain the Nicene Fathers made no alteration in this affair, but left the whole matter as they found it; for though in one of their canons[79] it is said, 'that the presence, or at least the consent, of all the provincial bishops, and the confirmation or ratification of the metropolitan shall be necessary to the election and ordination of a bishop;' yet that is not said to exclude any ancient privilege that the people enjoyed, but only to establish the rights of metropolitans and provincial bishops, which Meletius, the schismatical Egyptian bishop, had particularly invaded, by presuming to ordain bishops without the authority of his metropolitan, or consent of his fellow-bishops in the provinces of Egypt. That nothing else was designed by that canon is evident from this, that the same Council, in the Synodical Epistle written to the Church of Alexandria, expressly mentions the choice of the people, and requires it as a condition of a canonical election. For, speaking of such Meletian bishops as would return to the unity of the Catholic Church, it says[80], 'that when any Catholic bishop died, Meletian bishops might succeed in their room, provided they were worthy, and that the people chose them, and the bishop of Alexandria ratified and confirmed their choice.' Our learned bishop Pearson[81] has rightly observed, that Athanasius himself was thus chosen, after the Nicene Council was ended; which is a certain argument, that the people's right was not abrogated in that Council.

[79] C. 4. (t. 2. p. 29 d.) Ἐπίσκοπον προσήκει μάλιστα μὲν ὑπὸ πάντων τῶν ἐν τῇ ἐπαρχίᾳ καθίστασθαι· εἰ δὲ δυσχερὲς εἴη τὸ τοιοῦτο, ἢ διὰ κατεπείγουσαν ἀνάγκην, ἢ διὰ μῆκος ὁδοῦ, ἐξ ἅπαντος τρεῖς ἐπὶ τὸ αὐτὸ συναγομένους, συμψήφων γινομένων καὶ τῶν ἀπόντων, καὶ συντιθεμένων διὰ γραμμάτων, τότε τὴν χειροτονίαν ποιεῖσθαι· τὸ δὲ κῦρος τῶν γινομένων δίδοσθαι καθ' ἑκάστην ἐπαρχίαν τῷ μητροπολίτῃ.

[80] Vid. Ep. Synod. C. Nicæn. ap. Theodor. l. 1. c. 9. (v. 3. p. 32. 34.) —Item ap. Socrat. l. 1. c. 9. (v. 2. p. 28. 19.) Εἰ δέ τινα ποτὲ συμβαίη ἀναπαύσασθαι τῶν ἐν τῇ ἐκκλησίᾳ, τηνικαῦτα συναναβαίνειν εἰς τὴν τιμὴν τοῦ τετελευτηκότος, τοὺς ἄρτι προσληφθέντας, μόνον εἰ ἄξιοι φαίνοιντο, καὶ ὁ λαὸς αἱροῖτο, συνεπιψηφίζοντος αὐτῷ καὶ ἐπισφραγίζοντος τοῦ τῆς Ἀλεξανδρείας ἐπισκόπου.

[81] Vindic. Ignat. part. 1. c. 11. (Cotel. v. 2. p. 324.) ... Eusebiani, qui creationem S. Athanasii abrogare voluerunt, defectum popularis electionis objiciebant, et episcopi Ægypti, in synodo congregati, epistola ad omnes Ecclesiæ Catholicæ episcopos scripta, contrarium magna animi contentione asseruerunt. ... Quod neque hi neque illi fecissent, si populi suffragia in eligendo episcopo antiquitus locum nullum habuissent.

The Eusebian party made it an objection against him, 'that he had not the choice of the people;' but the bishops of Egypt assembled in synod, in their Synodical Epistle, do with great earnestness maintain the contrary, asserting[82] 'that the whole multitude of the people of the Catholic Church, as if they had been all united in one soul and body, cried out, requiring Athanasius to be ordained bishop.' Whence Gregory Nazianzen[83] also says of him, 'that he was brought to the throne of St. Mark, ψήφῳ τοῦ λαοῦ παντὸς, *by the suffrage of all the people.*' It were easy to add many other instances and proofs of the like nature to the time of the Council of Chalcedon, when the people of Alexandria still enjoyed their ancient privilege, as appears from several passages in Liberatus[84], who says of Proterius, and some other of their bishops, 'that they were chosen by the nobles, and the decree and voice of all the people.' But I shall say no more upon this head, but only allege two canons of the fourth Council of Carthage, which comprise the whole practice of the Church in relation to this matter;—the one[85] decreeing, 'that the ordination of a bishop should always be by the consent of four parties, the clergy, the laity, the provincial bishops, and the metropolitan, whose presence or authority was principally necessary in all such cases.' The other canon[86] orders, 'that no bishop shall ordain any clergymen without consulting with his clergy, and asking the consent, approba-

[82] Ap. Athanas. Apol. 2. [s. Apol. contr. Arian.] t. 2. p. 726. (t. 1. part. 1. p. 101 f. 4.) .. Πᾶν τὸ πλῆθος καὶ πᾶς ὁ λαὸς τῆς καθολικῆς ἐκκλησίας, ὥσπερ ἐκ μιᾶς ψυχῆς καὶ σώματος συνεληλυθότες, ἀνεβόων, ἔκραζον, αἰτοῦντες Ἀθανάσιον ἐπίσκοπον.

[83] Orat. 21. (t. 1. p. 377 c.) Οὕτω μὲν οὖν καὶ διὰ ταῦτα, ψήφῳ τοῦ λαοῦ παντὸς, οὐ κατὰ τὸν ὕστερον νικήσαντα πονηρὸν τύπον, οὐδὲ φονικῶς τε καὶ τυραννικῶς, ἀλλ' ἀποστολικῶς τε καὶ πνευματικῶς, ἐπὶ τὸν Μάρκου θρόνον ἀνάγεται, οὐχ ἧττον τῆς εὐσεβείας ἢ τῆς προεδρίας διάδοχος.

[84] Breviar. c. 14. (CC. t. 5. p. 763 c.) Collecti sunt ergo nobiles civitatis, ut eum, qui esset vita et sermone pontificatu dignus, eligerent. .... Novissime in Proterium omnium [al. universorum] sententia declinavit.—C. 15. (ibid. p. 764 d.) Scripsit imperator Leo duci Alexandriæ Stilæ, ut pelleret quidem ab episcopatu modis omnibus Timotheum, inthronizaret autem alium decreto populi, qui synodum vindicaret.

[85] C. 1. (t. 2. p. 1199 c.) Cum ... consensu clericorum et laicorum, et conventu totius provinciæ episcoporum, maximeque metropolitani vel auctoritate vel præsentia, ordinetur episcopus.

[86] C. 22. (ibid. p. 1201 e.) Ut episcopus sine consilio clericorum suorum clericos non ordinet; ita ut civium [assensum, et] conniventiam, et testimonium quærat.

tion, and testimony of his people.' This seems to have been the most common and ordinary practice of the Church.

Some exceptions to the general rule. First, in case the greatest part of the Church were heretics or schismatics.

12. But then, as all general rules have their exceptions, so it cannot be denied but that this rule varied sometimes, or at least had its limitations and restrictions: and I shall not do justice to the reader, nor the subject neither, unless I mention those also. Here therefore we are to observe, in the first place, that this rule did not hold when the greatest part of any Church were turned heretics or schismatics. For in that case, had elections been made by the general suffrage of the people, none but heretical or schismatical bishops must have been ordained. And therefore in the time of the great prevalency of Arianism, and the long schism of the Donatists, the Church did not tie herself always to act precisely by this rule. We find it objected by the Donatists in the collation of Carthage[87], 'that the Catholics made bishops in many places, where they had no people;' that is, no Catholic people, for they were all Donatists; consequently those bishops were ordained not only without, but against the consent of the people. And this I take to be the case of those bishops mentioned in the seventeenth and eighteenth canons of the Council of Antioch; one of which says[88], 'that if any bishop is ordained to preside over a people, and does not take upon him his office, and go to the church to which he is ordained, he shall be excommunicated till he complies, or a provincial synod determines otherwise about him;' and the other says[89], 'if such a bishop absents from his diocese, not by his own default, but *διὰ τὴν τοῦ λαοῦ παραίτησιν, because the people refuse to receive him*, in that case he shall be honoured as a bishop, though not admitted to his own church.' These canons were made at a time when the Arian

[87] C. 182. (ibid. p. 1399 c.) Petilianus episcopus dixit: Sic etiam tu [Alypius] multos habes per omnes agros dispersos: immo crebros ubi habes, sane et sine populis habes.

[88] [C. 17. (ibid. p. 569 a.) *Εἴ τις ἐπίσκοπος χειροθεσίαν ἐπισκόπου λαβὼν, καὶ ὁρισθεὶς προεστάναι λαοῦ, μὴ καταδέξοιτο τὴν λειτουργίαν, μηδὲ πείθοιτο ἀπιέναι εἰς τὴν ἐγχειρισθεῖσαν αὐτῷ ἐκκλησίαν, τοῦτον εἶναι ἀκοινώνητον, ἕστ' ἂν ἀναγκασθεὶς καταδέξοιτο, ἢ ὁρίσοι τι περὶ αὐτοῦ ἡ τελεία σύνοδος τῶν κατὰ τὴν ἐπαρχίαν ἐπισκόπων. Grischov.*]

[89] [C. 18. (ibid. b.) *Εἴ τις ἐπίσκοπος χειροτονηθεὶς εἰς παροικίαν, μὴ ἀπέλθῃ εἰς ἣν ἐχειροτονήθη, οὐ παρὰ τὴν ἑαυτοῦ αἰτίαν, ἀλλ' ἤτοι διὰ τὴν τοῦ λαοῦ παραίτησιν, ἢ δι' ἑτέραν αἰτίαν οὐκ ἐξ αὐτοῦ γενομένην, τοῦτον μετέχειν τῆς τιμῆς καὶ τῆς λειτουργίας, κ. τ. λ. Grischov.*]

faction had raised great commotions in the Church, which probably made some bishops unwilling to go to their churches, and others could not be admitted, because the faction strongly prevailed against them; and in both of them, it is supposed, the ordinations were made without asking the people's consent; of which practice we have frequent instances in ecclesiastical history in cases of the same nature.

Secondly, in case of ordaining bishops to far distant places, or barbarous nations.

13. Another exception to the rule was, when bishops were to be ordained for very distant countries, or barbarous nations. When Athanasius ordained Frumentius, bishop of the Indies at Alexandria, as the historians[90] report, no one can imagine that he had the formal consent, though he might have the presumptive approbation, of all his people. As neither can we suppose the bishop of Tomi, in Scythia, to be chosen by his people, when he was the only bishop[91] in all that region, and commonly ordained at Constantinople, as, by the twenty-eighth canon of the Council of Chalcedon[92], the bishops of barbarous nations were appointed to be.

Thirdly, in case an interven-

14. In case an interventor, or visitor, who was sent to procure a speedy election in any vacant see, got himself settled in

[90] Ruffin. l. 1. [al. 10.] c. 9. (p. 225 b. 12.) Frumentius Alexandriam pergit, dicens, æquum non esse opus occultare dominicum. Igitur rem omnem, ut gesta est, exponit episcopo, et monet, ut provideat virum aliquem dignum, quem, congregatis jam plurimis Christianis et ecclesiis constructis in barbarico solo, episcopum mittat. Tum vero Athanasius (nam is nuper sacerdotium susceperat) attentius et propensius Frumentii dicta gestaque considerans, in concilio sacerdotum ait, *Et quem alium inveniemus virum talem, in quo sit Spiritus Dei in ipso, sicut in te, qui hæc ita possit implere?* Et tradito ei sacerdotio, redire eum cum Domini gratia, unde venerat, jubet.—Socrat. l. 1. c. 19. (v. 2. p. 51. 5.) *Ἀθανάσιος .. αὐτὸν Φρουμέντιον τὴν ἐπισκοπὴν ἀναδέξασθαι παρεσκεύασεν, εἰπὼν μὴ ἔχειν αὐτοῦ ἐπιτηδειότερον· γίνεται δὴ τοῦτο· καὶ Φρουμέντιος ἀξιωθεὶς τῆς ἐπισκοπῆς, αὖθις ἐπὶ τὴν Ἰνδῶν παραγίνεται χώραν, κ. τ. λ.*—Theodor. l. 1. c. 23. (v. 3. p. 54. 45.) *Ὁ δὲ Φρουμέντιος ... τὴν Ἀλεξάνδρου καταλαβὼν πόλιν, τὸν τῆς ἐκκλησίας ἐδίδαξε πρόεδρον, ὡς Ἰνδοὶ λίαν ποθοῦσι τὸ νοερὸν εἰσδέξασθαι φῶς. Ἀθανάσιος δὲ τηνικαῦτα τῆς ἐκκλησίας ἐκείνης κατείχε τοὺς οἴακας· ὃς τῶν διηγημάτων ἐκείνων ἀκούσας, καὶ τίς σου, ἔφη, ἄμεινον καὶ τὴν τῆς ἀγνοίας ἀχλὺν ἀποσκεδάσει τοῦ ἔθνους, καὶ τοῦ θείου κηρύγματος αὐτοῖς ἀποίσει τὴν αἴγλην· ταῦτα εἰπὼν, καὶ τῆς ἀρχιερατικῆς αὐτῷ χάριτος μεταδοὺς, εἰς τὴν τοῦ ἔθνους ἐξέπεμψε γεωργίαν.*

[91] Sozom. l. 8. c. 19. (v. 2. p. 307. 5.) .. *Σκύθαι, πολλαὶ πόλεις ὄντες, ἕνα πάντες ἐπίσκοπον ἔχουσιν.*

[92] [C. 28. (t. 4. p. 770 b.) *Ὥστε τοὺς τῆς Ποντικῆς, καὶ τῆς Ἀσιανῆς, καὶ τῆς Θρακικῆς διοικήσεως μητροπολίτας μόνους, ἔτι δὲ καὶ τοὺς ἐν τοῖς βαρβαρικοῖς ἐπισκόπους τῶν προειρημένων διοικήσεων χειροτονεῖσθαι ἀπὸ τοῦ προειρημένου ἁγιωτάτου θρόνου τῆς κατὰ Κωνσταντινούπολιν ἁγιωτάτης ἐκκλησίας. Grischov.*]

tor, or any other bishop, intruded himself into any see without the consent of a provincial synod.

the see by the interest which he had gained in the people during his administration, yet he was not allowed to continue in the possession of that see, though he had made never so strong a party among the people, or had the consent of them all; as appears from a canon[93] of the fifth Council of Carthage, which is also inserted into the Code of the African Church. The case was the same with any vacant bishops,—*ἐπίσκοποι σχολάζοντες*,—as the canons call them, who were ordained to such places as would not receive them. If any of them intruded themselves into any vacant Church, without the consent of the metropolitan and a provincial synod, they were to be rejected, though all the people were unanimous in choosing them; as the Council of Antioch decreed, in express terms, against such invaders: 'If,' say they[94], 'a vacant bishop transfers himself into a vacant church, and seizes the throne by stealth, without the authority of a full synod of the province, he shall be discarded, though all the people, upon whom he thrust himself, should agree in the choice of him.' The same Council has another canon[95], which prohibits any bishop to remove from one diocese to another, either of his own accord, or by the compulsion of the people: which plainly implies, that in all such cases no regard was had to the choice of the people, when they pretended to act without the concurrence of a provincial synod.

Fourthly, in case of factions and divisions among the people.

15. When the people were divided in their choice, and could not unanimously agree upon any one, then, to prevent further disputes, and the mischievous consequences of faction and division, it was usual for the metropolitan and the synod to choose an indifferent person, whom no party had named, and prefer him before all the competitors of the people. And this was usually done with good success: for the people commonly were ashamed of their own choice, and universally acquiesced in

[93] C. 8. (t. 2. p. 1216 e.) Constitutum est [al. placuit] ut nulli intercessori licitum sit, cathedram, cui intercessor datus est, quibuslibet populorum studiis, vel seditionibus retinere.—Vid. Cod. Eccles. Afric. c. 74. (ibid. p. 1094 e.)

[94] C. 16. (ibid. p. 568 e.) *Εἴ τις ἐπίσκοπος σχολάζων, ἐπὶ σχολάζουσαν ἐκκλησίαν ἑαυτὸν ἐπιρρίψας, ὑφαρπάζει τὸν θρόνον δίχα συνόδου τελείας· τοῦτον ἀπόβλητον εἶναι, καὶ εἰ πᾶς ὁ λαὸς, ὃν ὑφάρπαζεν, ἕλοιτο αὐτόν.*

[95] C. 21. (ibid. 572 a.) *Ἐπίσκοπον ἀπὸ παροικίας ἑτέρας εἰς ἑτέραν μὴ μεθίστασθαι, μήτε αὐθαιρέτως ἐπιρρίπτοντα ἑαυτὸν, μήτε ὑπὸ λαῶν ἐκβιαζομένον, μήτε ὑπὸ ἐπισκόπων ἀναγκαζόμενον.*

this. Sidonius Apollinarius[96] gives us a famous instance, in the ordination of John, bishop of Chalons. 'A triumvirate of competitors, whose characters were not extraordinary, had, by different interests, drawn the people into three very great factions; to remedy which the metropolitan, privately consulting with his fellow-bishops, but taking none of the people into council, ordained this John, to the surprise of them all: but,' as our author observes, 'it was managed with that prudence, that though the advice of the people was not taken, yet the holy man was ordained, to the astonishment of the factious and confusion of the wicked, with the general acclamations of the good, and the contradictions and opposition of none.' And this was a common method in case of incurable divisions among the people.

Fifthly, the emperors sometimes interposed their authority to prevent tumults in the like cases.

16. Sometimes the emperors interposed their authority, and themselves nominated the person whom they would have to be ordained bishop, when they found by experience what dangerous tumults these popular elections raised among the people. Thus it was in the case of Nectarius, bishop of Constantinople, who was nominated by Theodosius only. For the people were not so much as consulted in the matter; but the emperor ordered the bishops to give him in a catalogue of fit persons, reserving the power of election entirely to himself. Nay, when some of the bishops objected against Nectarius 'that he was but a catechumen, and unbaptized;' the emperor, notwithstanding, persisted in his choice; and the bishops complied, and immediately baptized and ordained him, as Sozomen[97] informs us.

[96] L. 4. Ep. 25. (p. 309.) Postquam episcopus Paulus junior discesserat decesseratque, exceperunt pontificale concilium variæ voluntates oppidanorum, nec non et illa, quæ bonum publicum semper evertunt, studia privata, quæ quidam triumviratus accenderat competitorum: quorum hic antiquam natalium prærogativam reliqua destitutus morum dote ructabat: hic per fragores parasiticos, culinarum suffragio comparatos, Apicianis plausibus ingerebatur: hic, apice votivo si potiretur, tacita pactione promiserat, ecclesiastica plausoribus suis prædæ prædia fore. Quod ubi viderunt sanctus Patiens et sanctus Euphronius, qui rigorem firmitatemque sententiæ sanioris, præter odium gratiamque, primi tenebant, consilio cum coëpiscopis prius clam communicato, quam palam prodito, strepituque furentis turbæ despecto, jactis repente manibus arreptum, nihilque tum minus, quam quæ agebantur, optantem suspicantemque, sanctum Ioannem, virum honestate, humanitate, mansuetudine insignem, ... stupentibus factiosis, erubescentibus malis, acclamantibus bonis, reclamantibus nullis, collegam sibi consecravere.

[97] L. 7. c. 8. (v. 2. p. 353.)

Socrates[98] takes notice of the same prerogative made use of by Theodosius Junior, upon the like occasion, who nominated Nestorius to the see of Constantinople, *διὰ τοὺς κενοσπουδιστὰς, by reason of factious and vain-glorious persons* in the Church. And, for the like reason, the same author[99] tells us, upon another vacancy, to prevent tumults in the election, he gave his mandate to the bishops to enthrone Proclus in the church. De Marca[1] will furnish the reader with other instances, and ecclesiastical history with more, to the same purpose.

Sixthly, the people sometimes restrained to the choice of one out of three, which were nominated by the bishops.

17. Sometimes, again, we find the people and clergy were confined in their choice to take one out of three, that were first nominated by the bishops in council. Thus it was in France in the time of the second Council of Arles, anno 452, when that Council made an order about elections to this purpose[2]: 'that in the ordination of a bishop this rule should be observed: the bishops shall nominate three, out of which the clergy and people shall have power to choose one.' Other laws[3] appointed

[98] L. 7. c. 29. (ibid. p. 377. 34.) *Μετὰ τὴν τελευτὴν Σισιννίου ἐδόκει τοῖς κρατοῦσι, μηδένα μὲν διὰ τοὺς κενοσπουδαστὰς ἐκ τῆς ἐκκλησίας εἰς τὴν ἐπισκοπὴν προχειρίζεσθαι· καίτοι πολλῶν μὲν τὸν Φίλιππον, πολλῶν δὲ τὸν Πρόκλον χειροτονηθῆναι σπευδόντων· ἐπήλυδα δὲ ἐκ τῆς Ἀντιοχείας καλεῖν ἐβούλοντο ..... τριμήνου οὖν διαδραμόντος, ἄγεται ἐκ τῆς Ἀντιοχείας ὁ Νεστόριος.*

[99] L. 7. c. 40. (ibid. p. 390. 25.) *Ὁ βασιλεὺς Θεοδόσιος σοφῶς τοῦ πράγματος προενόησεν· ἵνα γὰρ μὴ πάλιν περὶ ἐπιλογῆς ἐπισκόπου ζήτησις ᾖ, καὶ ταραχὴν τῇ ἐκκλησίᾳ κινήσῃ, μὴ μελλήσας, ἀλλ' ἔτι κειμένου τοῦ σώματος Μαξιμιανοῦ, τοῖς παροῦσιν ἐπισκόποις ἐνθρονίσαι τὸν Πρόκλον ἐπέτρεψεν.*

[1] De Concord. l. 8. c. 9. n. 8. (p. 1139.) Quandoque contentionum subortarum occasione reges, necessario veluti remedio, ad ecclesiæ quietem electione sua palatina utebantur. Quod probatur diserte ex auctore antiquo Vitæ sancti Leodegarii. 'Incubuit,' inquit, 'causa necessitatis, ut in Augustodunensi urbe Leodegarium ordinare deberent episcopum. Siquidem nuper inter duos contentio de eodem episcopatu exorta fuerat, et usque ad sanguinis effusionem certatum. Cumque unus ibidem occubuisset in morte, et alter pro perpetrato scelere datus fuisset in exilii trusionem; tunc Bathildis regina, quæ cum Lothario filio Francorum regebat palatium, divino, ut credimus, inspirato consilio, ad memoratam urbem hunc direxit virum, ut ibidem esset episcopus! Circa idem tempus, id est, anno 664, optimates et rectores palatii consilium dederunt Childerico regi, ut Landebertum præficeret ecclesiæ Trajectensi: 'cui regis imperio plebs omnis consensit,' inquit auctor Vitæ, &c.

[2] C. 54. (t. 4. p. 1017 c.) Placuit in ordinatione episcopi hunc ordinem custodiri, ut ..... tres ab episcopis nominentur, de quibus clerici vel cives erga unum elegendi habeant potestatem.

[3] Vid. C. Barcinon. c. 3. (t. 5. p. 1605 e.) .... Ad summum sacerdotium .... provehatur: ita tamen, ut duobus aut tribus, quos ante consensus cleri et plebis elegerit, metropolitani judicio ejusque coepiscopis præsentatis, quem sors, præeun-

the clergy and people to nominate three, and the metropolitan and provincial bishops to cast lots, which of the three should be ordained; which was the rule of the Spanish Church in the time of the Council of Barcelona, anno 599.

Lastly, by Justinian's laws the elections were confined to the *optimates*, and the inferior people wholly excluded.

18. We find also, in Justinian's laws, that a considerable alteration was made in this affair wherever those laws took place. For thereby the inferior sort of the common people were wholly cut off from having any concern in these elections, which were now confined to the clergy and the *optimates*, or persons of better rank and quality in every Church. For so, by two of his Novels[4], it is expressly provided, 'that when a bishop is to be ordained for any city, the clergy and chief men of the city shall meet, and nominate three persons, drawing up an instrument, and inserting therein upon their oath, that they choose them neither for any gift, nor promise, nor friendship, nor any other cause, but because they know them to be of the true Catholic faith, and of honest life, and good learning, &c. That out of these three, one that is best qualified may be chosen by the discretion and judgment of the ordainer.' De Marca thinks the Council of Laodicea long before made a canon[5] to the same purpose, forbidding the elections of the clergy to be committed *τοῖς ὄχλοις, vili plebeculæ*, as De Marca

te episcoporum jejunio, Christo Domino terminante, monstraverit, benedictio consecrationis accumulet.

[4] Novel. 123. c. 1. (t. 5. p. 538.) Sancimus igitur, quoties opus fuerit episcopum ordinari, clericos et primates civitatis, cujus futurus est episcopus ordinari, mox in tribus personis decreta facere, propositis eis Sacrosanctis Evangeliis, periculo suarum animarum dicentes in ipsis decretis, quia neque propter aliquam donationem, neque propter aliquam promissionem, aut amicitiam, aut aliam quamlibet causam; sed scientes eos rectæ et catholicæ fidei, et honestæ esse vitæ, et literas nosse, hos elegerunt, &c. . . . . Ut ex trium personarum [leg. tribus personis], pro quibus talia decreta facta sunt, melior ordinetur electione et periculo ordinantis. — Novel. 137. c. 2. (p. 609.) Jusjurandum autem suscipere eum qui ordinatur per diversas [leg. Divinas] Scripturas, quod neque per se ipsum, neque per aliam personam dedit quid, aut promisit, neque posthac dabit, vel ordinanti ipsum, vel his qui sacra pro eo suffragia fecerunt, vel alii cuiquam ordinatione de ipso faciendæ nomine, &c.—Conf. Cod. Justin. l. 1. tit. 3. de Episc. leg. 41. (t. 4. p. 110.) . . Διὰ τοῦ παρόντος νόμου θεσπίζομεν, ὁσάκις ἂν ἐν οἱᾳδήποτε πόλει ἱερατικὸν θρόνον σχολάσαι συμβαίη, ψήφισμα γίνεσθαι παρὰ τῶν οἰκούντων τὴν αὐτὴν πόλιν ἐπὶ τρισὶ τοῖς ἐπὶ ὀρθῇ πίστει, καὶ βίου σεμνότητι, καὶ τοῖς ἄλλοις ἀγαθοῖς μεμαρτυρημένοις, ὥστε ἐκ τούτων τὸν ἐπιτηδειότερον εἰς τὴν ἐπισκοπὴν προχειρίζεσθαι.

[5] C. 13. (t. 1. p. 1497 e.) Περὶ τοῦ μὴ τοῖς ὄχλοις ἐπιτρέπειν τὰς ἐκλογὰς ποιεῖσθαι τῶν μελλόντων καθίστασθαι εἰς ἱερατεῖον.

renders it[6], that is, *to the common and inferior sort of people.* But it is not certain the canon intended the prohibition in that sense; or if it did, it was of no force: for the people continued their ancient practice for some ages after that Council. However, upon the whole matter, it appears that this power of the people did never so universally obtain, but that it was limited in several cases by certain restrictions, and varied according to the different state of times and nations.

How and when princes and patrons came to have the chief power of elections.

19. At last, upon the breaking of the Roman empire, the Gothic kings in France and Spain were generally complimented with a share in these elections, and their consent was as necessary as any other to the ordination of bishops within their dominions. By which means their power quickly increased into a prerogative of nominating solely, and all others had little else to do but to accept their nominations; which the reader that is curious in this matter may find discoursed at large by De Marca[7], in his account of the change that was made in the French and Spanish Churches in after-ages, which it is none of my business here further to pursue. As to the power of nomination in inferior patrons, it is generally agreed by learned men[8] that it came in upon the division of dioceses into distinct

[6] De Concord. l. 8. c. 6. n. 8. (p. 1128.) Quare canonis istius [Laodiceni decimi tertii] decretum secutus Justinianus suis legibus diserte clerum et primates populi solos ad electiones episcoporum admisit, neglectis turbis: quarum assensus non erat negligendus, sed inter suffragia legitima non censebatur. Sic enim accipienda sunt verba canonis, ut plebis interventio prohibeatur, non autem, ut sola ejus violentia arceatur, &c.

[7] Ibid. l. 8. c. 9. (pp. 1136, seqq.) *De electionibus episcoporum Gallicorum, &c.*—C. 10. (pp. 1145, seqq.) *De praxi antiqua Hispanica circa electiones episcoporum, &c.*

[8] Unreason. of Separat. part 3. s. 25. p. 326. (v. 2. p. 617.) As to the inferior right of patronage, it is justly thought to bear equal date with the first settlements of Christianity in peace and quietness. For when it began to spread into remoter villages and places distant from the cathedral churches, where the bishop resided with his presbyters, as in a college together, a necessity was soon apprehended of having presbyters fixed among them. For the Council of Neocæsarea mentions the ἐπιχώριοι πρεσβύτεροι, *the country presbyters*, c. 13, whom the Greek Canonists interpret to be such as then were fixed in country cures; and this Council was held ten years before the Council of Nice. In the time of the first Council of Orange, A. D. 441, express mention is made of the right of patronage reserved to the first founders of churches, c. 10, viz. *If a bishop built a church on his own land in another bishop's diocese, yet the right of presenting the clerk was reserved to him.* And this was confirmed by the second Council of Arles, c. 36, A. D. 452. By the constitution of the emperor Zeno, A. D. 479, the rights of patronage are established upon the agreements

parishes, and the founding of churches in country places. For to give greater encouragement to such pious and useful works, the founder of any church, who settled an endowment upon it, was allowed to retain the right of presentation to himself, to nominate a fit clerk to the bishop for his approbation. That which led the way to this practice was a decree of the first Council of Orange[9], anno 441, wherein this power and privilege was first granted to bishops: 'that if any bishop was disposed to found a church in the territory of another bishop, the bishop of the diocese where the church was built should consecrate it; reserving to the founder the right of nominating such clerks as he should desire to have in his own church, whom the bishop of the diocese should ordain at his request; or if they were already ordained, he should allow them to continue without any molestation.' And this canon is repeated in the second Council of Arles[10], in the editions of Sirmond and Labbe, though it be wanting in some others. After this, by the laws of Justinian, all founders of churches and their heirs are allowed to nominate their own clerks upon the right of patronage to those churches. 'If any man builds an oratory,' says one of his Novels[11], 'and

at first made in the endowments of churches. This constitution was confirmed by Justinian, A. D. 541; and he allows the nomination and presentation of a fit clerk: and the same were settled in the Western Church, as appears by the ninth Council of Toledo, about A. D. 650: and many canons were made in several Councils about regulating the rights of patronage, and the endowments of churches; till at last it obtained, by general consent, that the patron might transmit the right of presentation to his heirs, and the bishops were to approve of the persons presented, and to give institution to the benefice. The barons of England, in the Epistle to Gregory IX, plead that their ancestors had the right of patronage from the first planting of Christianity here. For those upon whose lands the churches were built, and at whose cost charges were endowed, thought they had great reason to reserve the nomination of the clerks to themselves. And this, Joh. Sarisburiensis saith, was received by a general custom of this whole kingdom. So that the right of patronage was at first built upon a very reasonable consideration; and hath been ever since received by as universal a consent as any law or custom among us, &c.

[9] C. 9. (t. 3. p. 1449 c.)... Reservata ædificatori episcopo hac gratia, ut quos desiderat clericos in re sua videre, ipsos ordinet is in cujus civitatis territorio est; vel si jam ordinati sunt, ipsos habere acquiescat. [The entire canon is somewhat differently worded in Labbe's edition. The sense is the same. See the next note. Ed.]

[10] Anno 452. c. 36. (t. 4. p. 1015 b.) Si quis episcopus in alienæ civitatis territorio ecclesiam ædificare disponit.. non præsumat dedicationem, quæ illi omnimodis reservanda est, in cujus territorio ecclesia assurgit; reservata ædificatori, &c.

[11] Novel. 123. c. 18. (t. 5. p. 549.) Si quis oratorii domum fabricaverit, et voluerit in ea clericos ordinare,

either he or his heirs are minded to have clerks ordained thereto; if they allow maintenance to them, and they be worthy persons, such as they nominate shall be ordained.' And the bishop has no power to ordain any other, unless the persons so nominated be unqualified by the canons. Another Novel[12] allows the bishop liberty to examine them, and judge of their qualifications; but if he finds them worthy, he is obliged to ordain them, having in that case no power to refuse them. They who would see more of this matter may consult our learned bishop Stillingfleet[13], who gives an account of the progress of it in future ages; which being foreign to my subject, I return to the business of elections in the ancient Church, and proceed to give an account of the several qualifications that were necessarily required in persons to be elected and ordained to any office or dignity in the Church.

CHAP. III.

Of the examination and qualifications of persons to be ordained to any office of the clergy in the primitive Church. And, first, of their faith and morals.

Three inquiries made about persons to be ordained respecting, 1st, their faith; 2ndly, their morals; 3rdly, their outward quality and condition.

1. BEFORE any person could regularly be elected or ordained to any clerical office in the Church, the electors and ordainers were obliged to make several inquiries concerning him, which I think may be reduced to these three heads; the examination of his faith, his morals, and his outward state and condition in the world. The two first of these they were most strict in canvassing and examining, because they were more essential and necessary to the ministry; but the third they did not omit, because the peculiar state of those times did more especially require it. For then men were tied by the laws of the Empire to

aut ipse aut ejus hæredes: si expensas ipsis clericis ministrant, et dignos denominant, denominatos ordinari. Si vero qui ab eis eliguntur, tanquam indignos prohibent sacræ regulæ ordinari: tunc sanctissimus episcopus quoscunque putaverit meliores ordinari procuret.

[12] Novel. 57. c. 2. (t. 5. p. 298.) ... Decernimus si quis ædificans ecclesiam aut etiam aliter expendens in ea ministrantibus alimenta, voluerit aliquos clericos statuere: non esse ei fiduciam ullam, quos vult per potestatem deducere tuæ reverentiæ ad ordinandos eos, sed examinari a tua sanctitate: sententiaque tua et qui pontificalem sedem rexerit, semper hos suscipere ordinationem, qui tuæ beatitudini, et qui postea opportune videbuntur existere, et Dei ministerio digni, &c.

[13] Unreasonableness of Separation, part 3. p. 327. See note 8, preceding.

bear the offices of the State according to their quality and substance, and those offices were commonly inconsistent with the offices of the Church; which made it necessary to inquire, before men were ordained, whether they were under any obligation to the State, or obnoxious to any distinct power: for fear the Church should seem to encroach upon other men's rights, or bring trouble upon herself, by having her clergy recalled to a secular life again.

The rule and method of examining their faith and learning.

2. The trial of their *faith and orthodoxy*, under which I also comprehend their learning, was made three ways; partly by obliging the electors to give in their public testimony of them; partly by obliging the persons elected to answer to certain interrogatories, or questions of doctrine, that were put to them; and partly by making them subscribe a body of articles, or confession of faith, at the time of their ordination. By a law of Justinian's[13], the electors themselves were to declare upon oath, in the instrument or decree of election, if it were a bishop that was chosen, that they knew him to be a man of the true Catholic faith, and of good life and conversation, &c. And, by the same law, the bishop to be ordained was required to give in *a libel*, or form of confession of his faith, subscribed with his own hand; and to repeat the form of prayer used at the oblation of the holy eucharist and at baptism, with the other prayers of the Church. Which was an intimation that he allowed and approved the liturgy or public service of the Church. The fourth Council of Carthage[14] prescribes a particular form of examination by way of interrogatories to the bishop who was to be ordained, which is too long to be here inserted; but it consists chiefly of such questions as relate to the articles of the Creed, and doctrines levelled against the most noted here-

[13] Novel. 137. c. 2. (t. 5. p. 609.) .... Quemque ipsorum jurare secundum Divina Eloquia, et ipsis psephismatibus inscribi ..... quod scientes ipsos rectæ et catholicæ fidei et honestæ vitæ, ... ipsos elegerint. .... Exigi etiam ante omnia ab eo, qui ordinandus est, libellum ejus propria subscriptione complectentem quæ ad rectam ejus fidem pertinent. Enunciari etiam ab ipso et sanctam oblationis formulam, quæ in sancta communione fit, et eam quæ fit in baptismate precationem, et reliquas deprecationes.

[14] C. 1. (t. 2. p. 1198 d.) Qui episcopus ordinandus est, antea examinetur, si natura sit prudens, si docibilis, si moribus temperatus, si vita castus, si sobrius, si semper suis negotiis cavens, [vacans, *Labbe* marg.] si humilis, si affabilis, si misericors, si literatus, si in lege Domini instructus, si in Scripturarum sensibus cautus, si in dogmatibus ecclesiasticis exercitatus, &c.

sies, that either then were or lately had been predominant in the Church. Orders also are there given to examine whether the candidate be well instructed in the law of God, and able to expound the sense of Scripture, and be thoroughly exercised in the doctrines of the Church. By which we may judge what due precaution was then taken to admit none but persons rightly qualified, as to their faith, to the chief administrations of the Church.

The irregular ordination of Synesius considered.

3. Upon which consideration it has seemed very difficult to some learned men to account for the practice and conduct of Theophilus of Alexandria, in ordaining Synesius, at the same time that he professed he could not yet believe the doctrine of the resurrection, and some other articles of the Christian Faith. Baronius[15], and Habertus[16], and our learned bishop Taylor[17], reckon he only dissembled, and used this stratagem to avoid being ordained. But had this been the case, it had still been a just canonical exception against him; for the Canons[18] forbid the ordination of any one, who accuses himself as guilty of any heinous crime, whether his accusation be true or false; for he proves himself guilty either by confessing a truth, or at least by telling a lie about it. But indeed the case of Synesius was no feigned case, for he spake the real sense of his soul; as appears, not only from what the historian[19] says of it, but from the account which he himself gives in one of his Epistles[20] to

[15] Anno 410. (t. 5. p. 318 e.).... Errore maxime labuntur, qui putant hæc serio fuisse a Synesio inculcata, &c.

[16] Archierat. ad Profess. Fid. observ. 1. (p. 500.) Ad hoc etiam meo judicio non nihil facit illa quamvis simulata Synesii, cum ad Cyrenensem episcopatum posceretur, contestatio, qua minabatur, se palam facturum, quid in mente haberet de animæ ante corpus exsistentia, &c.

[17] Duct. Dubit. b. 3. ch. 2. p. 495. (Rule 5. s. 18. Works, v. 13. p. 367.) Synesius, bishop of Ptolemais, &c.

[18] Vid. C. Valentin. c. 4. (t. 2. p. 905 e.) Quicunque se sub ordinatione vel diaconatus, vel presbyterii, vel episcopatus, mortali crimine dixerint esse pollutos, a supradictis ordinationibus esse submovendos, reos scilicet vel veri confessione, vel mendacio falsitatis.

[19] Evagr. l. 1. c. 15. (v. 3. p. 270. 7.) Οὗτος μὲν Συνέσιος ἦν μὲν τὰ ἄλλα πάντα λόγιος· φιλοσοφίαν δὲ οὕτως ἐς τὸ ἀκρότατον ἐξήσκησεν, ὡς καὶ παρὰ Χριστιανῶν θαυμασθῆναι, τῶν μὴ προσπαθείᾳ ἢ ἀντιπαθείᾳ κρινόντων τὰ ὁρώμενα· πείθουσι δ' οὖν αὐτὸν τῆς σωτηριώδους παλιγγενεσίας ἀξιωθῆναι, καὶ τὸν ζυγὸν τῆς ἱερωσύνης ὑπελθεῖν, οὔπω τὸν λόγον τῆς ἀναστάσεως παραδεχόμενον, οὐδὲ δοξάζειν ἐθέλοντα· εὐθυβόλως εὖ μάλα στοχασάμενοι, ὡς ταῖς ἄλλαις τἀνδρὸς ἀρεταῖς ἕψεται καὶ ταῦτα, τῆς θείας χάριτος μηδὲν ἐλλειπὲς ἔχειν ἀνεχομένης· καὶ οὐκ ἐψεύστησαν τῆς ἐλπίδος, κ. τ. λ.

[20] Ep. 105. p. 397. (p. 249 b. 1.) Οἶσθα δ' ὅτι πολλὰ φιλοσοφία τοῖς θρυλλουμένοις τούτοις ἀντιδιατάττεται δόγμασιν· ἀμέλει τὴν ψυχὴν οὐκ ἀξι-

his brother Euoptius: 'You know,' says he, 'that philosophy teaches the contrary to many of those generally received doctrines. Therefore I cannot persuade myself that the soul is postnate to the body; I cannot say that the world and all its parts shall be dissolved; I look upon the resurrection to be *ἱερόν τι καὶ ἀπόρρητον, a sort of mystical and ineffable thing*, and am far from assenting to the vulgar opinions about it..... And now being called to the priesthood, I would not dissemble these things, but testify them both before God and man.' This asseveration seems too solemn and serious to be the speech of one who was only acting a part, and dissembling his opinion; and therefore it is more probable that he was in earnest, as Lucas Holstenius[21] more fully shews in a peculiar Dissertation upon this subject against Baronius. Valesius[22], to vindicate Theophilus, says Synesius altered his opinions before he was ordained; but that is more than can be proved. The best account of the thing is that which is given by Holstenius, 'that it was the man's admirable virtues, and excellent qualifications in other respects, and a great want of fit men in those difficult times, that encouraged Theophilus to ordain him, in hopes that God would enlighten his mind, and not suffer so excellent a person long to labour under such errors in religion.' But the fairest colours that can be put upon it will hardly justify a fact so contrary to the rules of the Church. The instance was sin-

ὅσῳ ποτὲ σώματος ὑστερογενῆ νομίζειν τὸν κόσμον οὐ φήσω καὶ τ' ἄλλα μέρη συνδιαφθείρεσθαι· τὴν καθωμιλημένην ἀνάστασιν ἱερόν τι καὶ ἀπόρρητον ἤγημαι, καὶ πολλοῦ δέω ταῖς τοῦ πλήθους ὑπολήψεσιν ὁμολογῆσαι .. καλούμενος (d. 7.) *δ' εἰς ἱερωσύνην, οὐκ ἀξιῶ προσποιεῖσθαι δόγματα· ταῦτα Θεὸν, ταῦτα ἀνθρώπους μαρτύρομαι.*

[21] Dissert. 3. de Synes. ap. Vales. ad calc. Theodor. Lect. (v. 3. p. 613. 52.) Ipsa Synesii verba adeo quidem perspicua sunt, adeo certa et manifesta, ut qua ratione in dubium vocari possint, plane non videam. Contestationes vero adeo sanctis ac religiosis verbis sunt conceptæ, ut qui iis ludere, aut eludere alios voluerit, eum et conscientiam fidemque profligasse, et veritatem, Deumque veritatis præsidem ludibrio habuisse, jure merito credas, &c.

[22] Not. in Evagr. l. 1. c. 15. (ibid. n. 2.)..... Baronius..... cuncta illa ... non serio dici censet, sed ficte atque simulate, ut episcopatus onus declinaret. Verum hanc Baronii sententiam merito improbavit Petavius. Multo enim verisimilius esse dicit, Synesium hæc ad fratrem suum scripsisse, sicut tunc sentiebat. Postea vero a Theophilo aut aliis sacerdotibus edoctum, antequam episcopus fieret, veram de resurrectione sententiam amplexum esse.—Petav. Vit. Synes. p. 4. (Notar. ad calc. Oper. p. 4.) ... Multo verisimilius est, hoc illum initio ita, ut in animo habebat, adseverasse; ac paullo post ab Theophilo, aliisve doctis viris persuasum veritati cessisse, antequam episcopus fieret.

gular, and never made a precedent, or drawn into imitation; the general practice of the Church being, as has been shewed, to examine men's orthodoxy, and require their assent and subscriptions to the rule of faith before their ordination.

A strict inquiry made into the morals of such as were to be ordained.

4. Their next inquiry was into *the morals* of the person to be ordained; and here the examination was very strict and accurate. For then the custom was generally to ordain such only as were known to all the people, and of whose life and character they were satisfied, and could bear testimony to them. 'The bishops and presbyters who preside over us,' says Tertullian[23], 'are advanced to that honour only by public testimony.' 'The law is,' says Cyprian[24], 'to choose bishops in the presence of the people, who have perfect knowledge of every man's life, and are acquainted with the tenour of their actions by their conversation.'

For which reason no stranger to be ordained in a foreign Church.

5. Upon which account the laws forbad the ordination of strangers in any Church to which they did not belong. Optatus[25] makes it an objection against the Donatists, that in the Roman see they never had a bishop who was a citizen of Rome, but still their succession in that city was supplied by Africans and strangers. Whereas, on the contrary, he challenges[26] them to shew, when ever the Church at any time brought a Frenchman or a Spaniard into Afric, or ordained a stranger to a people that knew nothing of him. In the Civil Law we have a constitution of Honorius[27], the emperor, to this purpose, 'that no clerks should be ordained out of any other possession or village, but only that where their church was.' Or if any one thinks that decree was made rather for reasons of state, he may read the same in the canons of the Church; as in the Council of Eliberis[28], which decrees, 'that no stranger

[23] Apol. c. 39. (p. 31 a.) Præsident [apud nos] probati quique seniores, honorem istum non pretio, sed testimonio adepti.

[24] Ep. 68. [al. 67.] p. 172. (p. 289.) Episcopus deligatur plebe præsente, quæ singulorum vitam plenissime novit, et uniuscujusque actum de ejus conversatione perspexit.

[25] L. 2. p. 48. (p. 38.) Quid est hoc, quod pars vestra in urbe Romæ episcopum civem habere non potuit? Quid est quod toti Afri et peregrini in illa civitate sibi successisse noscuntur.

[26] Ibid. p. 51. (p. 43.) Numquid nos adduximus Hispanum et [al. aut] Gallum? Aut nos ordinavimus ignorantibus peregrinum?

[27] Vid. Cod. Theod. l. 16. tit. 2. de Episcopis, leg. 33. (t. 6. p. 70.) ... Clerici, non ex alia possessione vel vico, sed ex eo ubi ecclesiam esse constiterit, ordinentur.

[28] C. 24. (t. 1. p. 973 d.) Omnes, qui peregre fuerint baptizati, eo

baptized in a foreign country should be ordained out of the province where he was baptized, because his life and conversation could not be known.' And this rule was generally observed, except in some extraordinary cases, when either public fame had made a man eminent and noted over all the world, or there were some particular reasons for going against the rule, of which I have given an account in another place[29].

Nor any one who had done public penance in the Church.

6. The strictness of this examination as to men's morals will appear further from this,—that the commission of any scandalous crime, for which a man was obliged to do penance in the church, did for ever after, according to the rules and discipline of those times, render that person irregular and incapable of holy orders. For though they granted pardon and absolution and lay-communion to all offenders that submitted to the discipline of public penance, yet they thought it not proper to admit such to clerical dignities, but excluded them from the orders and promotions of the Church. At least it was thus in most of the Western Churches in the fourth and fifth centuries, as appears from the Latin writers of those ages. The Epistles of Siricius and Innocent shew it to have been the practice of the Roman Church in their time. For Siricius says[30] 'no layman, after public penance and reconciliation, was to be admitted to the honour of the clergy: because though they were cleansed from the contagion of all their sins, yet they ought not to touch the instruments of the sanctuary, who themselves before had been the instruments and vessels of sin.' The letters of Innocent[31] are to the same purpose. And so for the French Churches we have the testimony of Gennadius[32], and the second Council of Arles[33], and Agde[34]; and for

quod eorum minime sit cognita vita, placuit, ad clerum non esse promovendos in alienis provinciis.

[29] See b. 2. ch. 10. s. 3. v. 1. p. 125.

[30] Ep. 1. ad Himer. Tarracon. c. 14. (CC. t. 2. p. 1022 a.) Post pœnitudinem ac reconciliationem nulli unquam laico liceat honorem clericatus adipisci: quia quamvis sint omnium peccatorum contagione mundati, nulla tamen debent gerendorum sacramentorum instrumenta suscipere, qui dudum fuerint vasa vitiorum.

[31] Ep. 22. c. 3. (CC. ibid. p. 1274 a.).... Ubi pœnitentiæ remedium necessarium est, illic ordinationis honorem locum habere non posse decernimus.

[32] De Eccles. Dogmat. c. 72. [al. 39.] (int. Oper. August. t. 8. append. p. 79 c.) Maritum duarum post baptismum matronarum clericum non ordinandum..... neque eum, qui publica pœnitentia mortalia crimina deflet.

[33] C. 25. (t. 4. p. 1014 a.) Hi, qui

the Spanish Churches, a canon of the first Council of Toledo[35], which allows not penitents to be ordained, except in case of necessity, and then only to the offices of the inferior orders, door-keepers, and readers. The practice of the African Churches is evident from the fourth Council of Carthage[36], which decrees, 'that no penitent should be ordained, though he was a good man at the present: and if any such was ordained by the bishop's ignorance, not knowing his character, he should be deposed, because he did not declare that he had been a penitent at the time of his ordination.' By this we may understand what Optatus means, when, speaking of the Donatists, who made some of the Catholic children do public penance in the Church, he says 'they thereby gave them a wound, which was intended[37] to cut them off from the benefit of ordination;' plainly referring to this rule in the Church, *that he who had done public penance was thereby made incapable of ordination;* which seems also to be St. Austin's meaning, when, speaking of a Christian astrologer, who had done penance for his fault, he says[38] 'his conversion perhaps might

post sanctam religionis professionem apostatant et ad sæculum redeunt et postmodum pœnitentiæ remedia non requirunt, sine pœnitentia communionem penitus non accipiant, quos etiam jubemus ad clericatus officium non admitti.

[34] C. 43. (ibid. p. 1390 d.) De pœnitentibus id placuit observare, quod sancti patres nostri synodali sententia censuerunt, ut nullus de his clericus ordinetur, &c.

[35] C. 2. (t. 2. p. 1223 e.) Pœnitentes non admittantur ad clerum, nisi tantum necessitas aut usus exegerit, et tunc inter ostiarios deputentur, vel inter lectores. [Labbe reads this canon in the singular number,—Placuit ut de pœnitente non admittatur, &c. Ed.]

[36] C. 68. (ibid. p. 1205 c.) Ex pœnitentibus, quamvis sit bonus, clericus non ordinetur. Si per ignorantiam episcopi factum fuerit, deponatur a clero, quia se ordinationis tempore non prodidit fuisse pœnitentem.

[37] L. 2. p. 59. (p. 55.) Invenistis pueros, de pœnitentia sauciastis, ne aliqui ordinari potuissent.

[38] Append. Enarrat. Ps. 61. [juxt. Ed. Paris. 1637.].... Posset videri, quia sic conversus est, clericatum quærere in ecclesia? &c. [juxt. Ed. Bened. (t. 4. p. 605 f.)..... Posset videri, quia si conversus esset, clericatum quæreret in ecclesia? Pœnitens est; non quærit nisi solam misericordiam.—Ep. 50. [al. 185.] ad Bonifac. (t. 2. p. 660 e.) Si ergo, inquiunt, oportet ut nos extra ecclesiam et adversus ecclesiam fuisse pœniteat, ut salvi esse possimus; quomodo post istam pœnitentiam apud vos clerici, vel etiam episcopi permanemus? Hoc non fieret, quoniam revera, quod fatendum est, fieri non deberet, &c.....Ut enim (ibid. g. et p. 661.) constitueretur in ecclesia, ne quisquam post alicujus criminis pœnitentiam clericatum accipiat, vel ad clericatum redeat, vel in clericatu maneat; non desperatione indulgentiæ, sed rigore factum est disciplinæ ... Sed ne forsitan, etiam detectis criminibus, spe honoris ecclesiastici, animus intumescens superbe ageret pœnitentiam, severis-

make some think he intended to get an office among the clergy of the Church: but no,' says he, 'he is a penitent; he seeks nothing more but only a pardon and absolution:' meaning, that a person in his circumstances could not pretend to sue for orders by the rules and canons of the Church. But we are to note, that this is always to be understood of public penance, not of private; for the Council of Girone or Gerunda[39] in Catalonia expressly makes this distinction between public penance in the church, and private penance in time of sickness; making the one to incapacitate men from taking orders, but not the other. And in all other canons, where this distinction is not expressed, it is always to be understood. For it was only that penance which left some public mark of disgrace upon men, which unqualified them for the orders of the Church. But this rule might be dispensed with in extraordinary cases; and there are some learned men, who think it was not so generally insisted on in the three first ages of the Church: [but Origen[40] speaks of it as the rule of the Church in his time.]

No murderer to be ordained, nor adulterer, nor one that had lapsed in time of persecution.

7. As to particular crimes, there were a great many that unqualified men, whether they had done public penance for them or not; such as the three great crimes of *murder, adultery,* and *lapsing in time of persecution.* The Council of Toledo[41] sets murder in the front of those sins which exclude men from holy orders. The crimes of fornication and adultery are noted upon the same account by those called the Apostolical Canons[42], the Council of Neo-Cæsarea[43], the Council of Nice[44], Eliberis[45],

sime placuit, ut post actam de crimine damnabili pœnitentiam, nemo sit clericus, ut desperatione temporalis altitudinis medicina major et verior esset humilitatis.

[39] Anno 517. c. 9. (t. 4. p. 1569 a.) Qui ægritudinis languore depressus, pœnitentiæ benedictionem, quam viaticum deputamus, per communionem acceperit; et postmodum reconvalescens caput pœnitentiæ in ecclesia publice non subdiderit; si prohibitis vitiis non detinetur obnoxius, admittatur ad clerum.

[40] [Cont. Cels. l. 3. p. 143. See the latter part of n. 47, following. Ed.]

[41] Tolet. 1. c. 2. (t. 2. p. 1223 e.) Pœnitente vero dicimus de eo qui post baptismum, aut pro homicidio, aut pro diversis criminibus, gravissimisque peccatis publicam pœnitentiam gerens, sub cilicio [al. concilio] divino fuerit reconciliatus altario.

[42] C. 60 al. 61. (Cotel. [c. 53.] v. 1. p. 445.) Εἴ τις κατηγορία γένηται κατὰ πιστοῦ πορνείας, ἢ μοιχείας, ἢ ἄλλης τινὸς ἀπηγορευμένης πράξεως, καὶ ἐλεγχθείη, εἰς κλῆρον μὴ ἀγέσθω [al. προαγέσθω.]

[43] C. 9. [t. 1. p. 1481 e.] Πρεσβύτερος, ἐὰν προημαρτηκὼς σώματι προαχθῇ καὶ ὁμολογήσῃ, ὅτι ἥμαρτε πρὸ τῆς χειροτονίας, μὴ προσφερέτω, μένων ἐν τοῖς λοιποῖς, διὰ τὴν ἄλλην σπουδήν,

and several others. Nay, the Council of Neo-Cæsarea goes a little further, and decrees[46], 'that if any man's wife committed adultery whilst he was a layman, he should not be admitted to any ecclesiastical function; or if she committed adultery when he was in office, he must give her a bill of divorce and put her away, otherwise be degraded from his office.' As to the crime of lapsing and sacrificing in time of persecution, Origen[47] assures us it was the custom of the Church in his time to exclude such as were guilty of it from all ecclesiastical power and government. And Athanasius[48] says the same, 'that they were allowed the privilege of repentance, but not to have any place among the clergy.' Or if any were ignorantly ordained, they were to be deposed as soon as they were discovered, by a rule of the great Council of Nice[49]. Which was no new rule, but the ancient rule of the whole Catholic Church: for Cyprian[50] says 'it was agreed upon at Rome, and in Afric, and by the

κ.τ.λ.—C. 10. (ibid. d.) Ὁμοίως ὁ διάκονος, ἐὰν ἐν τῷ αὐτῷ ἁμαρτήματι περιπέσῃ, τὴν τοῦ ὑπηρέτου τάξιν ἐχέτω.

[44] C. 2. (t. 2. p. 29 c.) Εἰ, προϊόντος τοῦ χρόνου, ψυχικόν τι ἁμάρτημα εὑρεθῇ περὶ τὸ πρόσωπον, καὶ ἐλέγχοιτο ὑπὸ δύω ἢ τριῶν μαρτύρων, πεπαύσθω ὁ τοιοῦτος τοῦ κλήρου.

[45] C. 30. (t. 1. p. 974 a.) Subdiaconos eos ordinari non debere, qui in adolescentia sua fuerint mœchati; eo quod postmodum, per surreptionem, ad altiorem gradum promoveantur: vel si qui sunt in præteritum ordinati, amoveantur.

[46] C. 8. (ibid. p. 1481 d.) Γυνή τινος μοιχευθεῖσα λαϊκοῦ ὄντος, ἐὰν ἐλεγχθῇ φανερῶς, ὁ τοιοῦτος εἰς ὑπηρεσίαν ἐλθεῖν οὐ δύναται. Ἐὰν δὲ καὶ μετὰ τὴν χειροτονίαν μοιχευθῇ, ὀφείλει ἀπολῦσαι αὐτήν· ἐὰν δὲ συζῇ, οὐ δύναται ἔχεσθαι τῆς ἐγχειρισθείσης αὐτῷ ὑπηρεσίας.

[47] Cont. Cels. l. 3. p. 145. (t. 1. p. 481 d.) Οἷα δ' ἐστὶν αὐτοῖς ἀγωγὴ καὶ περὶ ἁμαρτανόντων, καὶ μάλιστα τῶν ἀκολασταινόντων, οὓς ἀπελαύνουσι τοῦ κοινοῦ οἱ κατὰ τὸν Κέλσον παραπλήσιοι τοῖς ἐν ταῖς ἀγοραῖς τὰ ἐπιρρητότατα ἐπιδεικνυμένοις; καὶ τὸ μὲν τῶν Πυθαγορείων σεμνὸν δικασκάλιον κενοτάφια τῶν ἀποστάντων τῆς σφῶν φιλοσοφίας κατεσκεύαζε, λογιζόμενον νεκροὺς αὐτοὺς γεγονέναι· οὗτοι δὲ ὡς ἀπολωλότας καὶ τεθνηκότας τῷ Θεῷ τοὺς ὑπ' ἀσελγείας ἤ τινος ἀτόπου νενικημένους, ὡς νεκροὺς πενθοῦσι· καὶ ὡς ἐκ νεκρῶν ἀναστάντας, ἐὰν ἀξιόλογον ἐνδείξωνται μεταβολὴν, χρόνῳ πλείονι τῶν κατ' ἀρχὰς εἰσαγομένων ὕστερόν ποτε προσίενται εἰς οὐδεμίαν ἀρχὴν καὶ προστασίαν τῆς λεγομένης ἐκκλησίας τοῦ Θεοῦ καταλέγοντες τοὺς φθάσαντας, μετὰ τὸ προσεληλυθέναι τῷ λόγῳ, ἐπταικέναι.

[48] Ep. ad Rufinian. (t. 1. part. 2. p. 768 e.) .. Καὶ ἤρεσεν ὅπερ ὧδε καὶ πανταχοῦ, ὥστε τοῖς μὲν καταπεπτωκόσι καὶ προϊσταμένοις τῆς ἀσεβείας, συγγινώσκειν μὲν μετανοοῦσι, μὴ δὲ δύναι δὲ αὐτοῖς τόπον κλήρου.

[49] C. 10. (t. 2. p. 33 c.) Ὅσοι προεχειρίσθησαν τῶν παραπεπτωκότων κατὰ ἄγνοιαν, ἢ καὶ προειδότων τῶν προχειρισαμένων, τοῦτο οὐ προκρίνει τῷ κανόνι τῷ ἐκκλησιαστικῷ· γνωσθέντες γὰρ καθαιροῦνται.

[50] Ep. 68. [al. 67.] p. 174. (p. 290.)... Cum jampridem nobiscum, et cum omnibus episcopis in toto mundo constitutis, etiam Cornelius, collega noster.. decreverit, ejusmodi homines ad pœnitentiam quidem agendam posse admitti; ab ordinatione autem cleri, atque sacerdotali honore prohiberi.

bishops of the whole world, that such men might be admitted to repentance; but should be kept back from the ordinations of the clergy and the honour of the priesthood.' Upon this account the Arians themselves, though they were not much given to act by rules, sometimes thought fit to deny men ordination; as Athanasius[51] and Socrates[52] say they did by Asterius, the sophist, whom they would not ordain because he had sacrificed in time of persecution. But they were far from being constant to this rule: for if Philostorgius[53] says true, the leading bishops of the Arian party,—Eusebius of Nicomedia, Maris of Chalcedon, Theognis of Nice, Leontius of Antioch, Antonius of Tarsus, Menophantus of Ephesus, Numenius, Eudoxius, Alexander, and Asterius of Cappadocia,—all sacrificed in the Diocletian persecution. But then it must be owned that some of these were ordained bishops in the Church before the Arian heresy began to appear: whence we must conclude, that either the bishops who ordained them knew nothing of their lapsing, or else that the Church herself sometimes granted dispensations in this case also. Baronius[54] and some others lay it to the charge of Eusebius, the historian, that he sacrificed in time of persecution. Petavius[55], and Huetius[56], and Mr. Pagi[57],

[51] De Synod. Arim. et Seleuc. t. 1. p. 887. (t. 1. part. 2. p. 584 e. n. 18.) *Ἀστέριος δέ τις ἀπὸ Καππαδοκίας, πολυκέφαλος σοφιστὴς, εἷς ὢν τῶν περὶ Εὐσέβιον, ἐπειδὴ θύσας ἐν τῷ προτέρῳ διωγμῷ, τῷ κατὰ τὸν πάππον Κωνσταντίου, οὐκ ἠδύνατο παρὰ αὐτῶν εἰς κλῆρον προαχθῆναι, κ.τ.λ.*

[52] L. 1. c. 36. (v. 2. p. 72. 13.) *Συνῆν δὲ ὁ Ἀστέριος συνεχῶς καὶ τοῖς ἐπισκόποις, τοῖς μάλιστα τὴν Ἀρειανῶν δόξαν μὴ ἀθετοῦσι· καὶ δὴ καὶ εἰς τὰς συνόδους ἀπήντα, ὑποδῦναι μιᾶς πόλεως ἐπισκοπὴν προθυμούμενος· ἀλλ' ἱερωσύνης μὲν ἠστόχησε, διὰ τὸ ἐπιτεθυκέναι κατὰ τὸν διωγμόν.*

[53] L. 2. c. 14. (v. 3. p. 484. 22.)... *Οὐς καὶ ἑλληνίσαι φησὶ ἐνδόντας τῇ τῶν τυράννων βίᾳ· κ.τ.λ.*

[54] Anno 335. n. 8. (t. 3. p. 447 b.) Potamon ... invectus est voce magna contra Eusebium, et dixit: Tu sedes, Eusebi, et Athanasius innocens stans a te judicatur? Quis tulerit talia! Dic mihi tu: nonne mecum fuisti in carcere tempore persecutionis? Et ego quidem oculum amisi pro veritate: tu vero nihil mutilatum in corpore habere videris, neque testimonium propter confessionem tribuisti, sed stetisti vivens, nulla parte detruncata. Quomodo discessisti e carcere? nisi quod promisisti iis, qui necessitatem nobis persecutionis intulerunt, id quod nefarium est, te facturum esse, aut sane fecisti?

[55] Animadvers. in Epiphan. Hær. 64. n. 2. (P. 259.) Verisimile igitur est Origenem, cum in Decii persecutione adfecta jam ætate lapsus esset, in Palæstinam recessisse, ac Tyri mortuum esse.

[56] Origenian. l. 1. c. 4. n. 4. (t. 1. p. 21.) Nicephorus, &c.

[57] Crit. in Baron. an. 251. n. 6. (t. 1. p. 239.) Negat Baronius, Origenem in hac Decii persecutione lapsum, ejusque sententiam Valesius in Notis Eusebianis secutus est. Præferenda tamen sententia Petavii in Animadversionibus ad Epiphanium, Hæresi 64. c. 2, et ad Librum

bring the same charge against Origen out of Epiphanius, the first reporter of the story; whilst Valesius[58] and du Pin[59] undertake to vindicate the reputation of Origen from so foul an aspersion. And Hanckius[60] and Dr. Cave[61] do the same for Eusebius. I will not interpose in these controversies, but only observe, that if the accusations brought against those two persons were true, the consequence must be, either that persons who had lapsed might be ordained, or at least continue in their orders undeposed, when the Church saw fit to dispense with her ordinary rule; which probably was not so strict, but that

ejusdem de Ponderibus et Mensuris c. 18, atque Huetii l. 1. Origenianorum, c. 4, sancto Epiphanio id asserenti fidem adhibendam censentium. Hæc Epiphanii verba: *Ob eximiam sanctitatem et eruditionem summam in invidiam est adductus*, &c. Quæ verba licet ab aliquo Origeniani nominis hoste in Epiphanii textum intrusa dicat Baronius, tamen vel ipsa styli similitudo, ut inquit Petavius, satis Epiphanio adjudicat. Facti illius etiam meminerunt Nemesius, c. 20, Leontius Byzantius, et Justinianus imperator adversus Origenis errores, qui a Synodo Quinta probatus est. Et profecto incredibile videtur, hunc imperatorem in Encyclica Epistola ad universos episcopos destinata, quæ in Concilii Quinti Acta refertur, vel qui nomine ejus eamdem scripsit, mendacium re nulla postulante confictum, patribus in os objecisse viris non illiteratis, et rei inauditæ novitatem procul dubio miraturis, ejusque falsitatem facile perspecturis.

[58] Not. in Euseb. l. 6. c. 39. (v. 1. p. 302. 2.)... De Æthiope adversus Origenem subornato, et de abnegata fide, nihil hic dicit Eusebius: sed et Baronius cuncta hæc fabulosa esse merito censuit. Nemesius tamen, in libro de Natura Hominis, c. 30, narrationem illam Epiphanii confirmat.

[59] Bibliotheque, t. 1. p. 444. (t. 1. p. 146. note n.) Saint Epiphane l'accuse de s'estre approché des autels, et d'avoir fait semblant d'offrir de l'encens aux dieux; mais cette histoire, et presque tout ce que Saint Epiphane rapport d'Origènes, est fabuleux, et fait à plaisir par quelque ennemi d'Origènes, qui a trompé Saint Epiphane homme assez crédule.

[60] De Scriptor. Byzant. part. 1. c. 1. n. 158. (p. 73.) Sed crimen illud, quod ab inimicis Eusebio per altercationes objectum quidem, cujus autem convictus non fuit, in dubium merito venit. Quin, cum credibile non sit, Eusebio si gentilium diis sacrificasset, per istius rei conscios Cæsariensem episcopatum poea vel collatum vel permissum fuisse; potius vero simile, quoniam Eusebius ex carcere salvus emissus erat, alios ea gratia non dimissos, suspicionis materiam consecutos, illum non sine culpa, vel sacrificantis, vel sacrificaturi, custodia digressum: cum tamen ex ea potuerit alio modo liberari.

[61] Hist. Liter. (v. 1. p. 128.) Hinc postea nata adversariis ejus calumniandi materie, ipsum nempe carceri inclusum idolis immolasse. Objecerunt id ei, anno 335, synodo Tyriæ inter alios præsidenti confessores Ægyptii, et in his præcipue Potamo episcopus Heracliensis. Verum si accusasse sufficiat, quis erit innocens? Odio et livore ducti tela in illum undique arripiebant: neque ullum hac in re testem proferunt, præter levem quemdam rumusculum, seu rumoris potius suspicionem, quod nec ipse diffitetur Potamo, nulla alia ex causa ortum, quam quod Eusebius ex carcere salvus et illæsus evaserat. Quid? quod si immolasset, ex rigida istius temporis disciplina, omni clericali gradu excidisset, certe ad superiorem ordinem neutiquam promovendus.

it might admit of some relaxation, when proper occasions and cases extraordinary seemed to require it.

No usurer or seditious person.

8. Another crime, which unqualified men for orders in those times, was *sedition* or *rebellion;* for he that stood convicted of treasonable practices was never to be ordained. This appears from the fourth Council of Carthage[62], which joins the seditious and usurers together, and excludes them both from ordination. As to the crime of usury, I shall not here stand to explain the nature of it, which will be done in a more convenient place[63], but only observe that this crime, in the sense in which the ancients condemned it, was of such an odious and scandalous nature, as to debar men that had been guilty of it from the honour and privilege of ordination. Whence Gennadius, speaking of the practice of the Latin Church and the qualifications required in persons to be ordained, says[64], 'they must not be men convicted of taking usury.' In the Greek Church, at least in the province of Cappadocia, the rule seems not to have been altogether so strict; for St. Basil's Canons[65] do not absolutely exclude such from the ministry, but allow them to be ordained, 'provided they first gave away to the poor what they had gained by usury, and promised not to exercise it for the future.'

Nor one who had voluntarily dismembered his own body.

9. Another crime, which made a man irregular and debarred him from the privilege of ordination, was *the disfiguring* or *dismembering of his own body.* If any man indeed happened to be born an eunuch, there was no law against his ordination: for Eusebius says[66] Dorotheus, presbyter of Antioch, was an eunuch from his mother's womb. And Socrates[67] and Sozomen[68] say of Tigris, presbyter of Constantinople, that

[62] C. 67. (t. 2. p. 1205 c.) Seditionarios nunquam ordinandos clericos, sicut nec usurarios.

[63] B. 6. c. 2. s. 6.

[64] De Eccles. Dogmat. c. 73. [al. 39.] (int. oper. August. t. 8. append. p. 79 d.) .... Neque illum, qui usuras accepisse convincitur.

[65] C. 14. ap. Bevereg. Pand. t. 2. p. 71. (CC. t. 2. p. 1729 a.) Ὁ τόκους λαμβάνων, ἐὰν καταδέξηται τὸ ἄδικον κέρδος εἰς πτωχοὺς ἀναλῶσαι, καὶ τοῦ λοιποῦ, τοῦ νοσήματος τῆς φιλοχρηματίας ἀπαλλαγῆναι· δεκτός ἐστιν εἰς ἱερωσύνην.

[66] L. 7. c. 32. (v. 3. p. 366. 18.) Ἦν δ' οὗτος τῶν μάλιστα ἐλευθερίων .... τὴν φύσιν δὲ ἄλλως εὐνοῦχος, οὕτω πεφυκὼς ἐξ αὐτῆς γενέσεως· κ. τ. λ.

[67] L. 6. c. 15. (v. 2. p. 332. 9.) Ἐκέλευον δὲ παρεῖναι ἅμα αὐτῷ Σεραπίωνα, καὶ Τίγριν εὐνοῦχον πρεσβύτερον, καὶ Παῦλον ἀναγνώστην.

[68] L. 8. c. 24. (ibid. p. 357. 18.) Ἐν τῷ τότε καιρῷ καὶ Τίγριος πρεσβύτερος τῆς ἐσθῆτος γυμνωθεὶς, καὶ κατὰ νώτου μαστιγωθεὶς, πόδας καὶ χεῖρας

he was made an eunuch by a barbarian master. Or if a man had suffered the loss of any member by the cruelty of the persecutors, as many confessors in the Diocletian persecution had their right eyes bored out and their left legs enfeebled, in that case there was no prohibition of their ordination, except they were utterly incapacitated from doing the office of ministers, by being made blind or deaf or dumb. For so those called the Apostolical Canons[69] determined: 'A man that hath lost an eye, or is maimed in his leg, may be ordained bishop, if he be otherwise worthy. For it is not any imperfection of body that defiles a man, but the pollution of his soul. Yet if a man is deaf or blind, he shall not be made bishop; not because he is polluted, but because he will not be able to perform the duties of his function.' The Council of Nice adds a third case, in which it was lawful to ordain dismembered persons; which was, when in case of a mortal distemper the physicians thought it necessary to cut off one limb of the body to save the whole. All these were excepted cases, and the prohibition of the canons did not extend to them; but the crime was when 'any one dismembered himself in health,' as the Nicene canon[70] words it: such an one was not to be ordained; or if he was ordained, when he committed the fact he was to be deposed. The Apostolical Canons[71] give this reason for it: 'because such an one is in effect a self-murderer, and an enemy of the workmanship of God.' Nor was it any excuse in this case, that a man made himself an eunuch out of a pretended piety, or to avoid fornication. For such were liable to the penalty of the canon, as

δεδεμένος διαταθεὶς, διελύθη τὰ ἄρθρα· ἐγένετο δὲ οὗτος βάρβαρος τὸ γένος, οὐκ ἐκ γενετῆς εὐνοῦχος· κ. τ. λ.

[69] Cc. 76, 77. (Cotel. [c. 69.] v. 1. p. 447.) *Εἴ τις ἀνάπηρος ἢ τὸν ὀφθαλμὸν, ἢ τὸ σκέλος πεπληγμένος, ἄξιος δέ ἐστιν, ἐπίσκοπος γενέσθω· οὐ γὰρ λώβη σωμάτων αὐτὸν μιαίνει, ἀλλὰ ψυχῆς μολυσμός.—Κωφὸς δὲ ὢν καὶ τυφλὸς, μὴ γινέσθω ἐπίσκοπος· οὐχ ὡς μεμιασμένος,* [al. *βεβλαμμένος,*] *ἀλλ' ἵνα μὴ τὰ ἐκκλησιαστικὰ παρεμποδίζοιτο.*

[70] C. 1. (t. 2. p. 28 e.) *Εἴ τις ἐν νόσῳ ὑπὸ ἰατρῶν ἐχειρουργήθη, ἢ ὑπὸ βαρβάρων ἐξετμήθη, οὗτος μενέτω ἐν τῷ κλήρῳ· εἰ δέ τις ὑγιαίνων ἑαυτὸν ἐξέτεμε, τοῦτον καὶ ἐν τῷ κλήρῳ ἐξεταζόμενον πεπαῦσθαι προσήκει· καὶ ἐκ τοῦ δεῦρο μηδένα τῶν τοιούτων χρῆναι προάγεσθαι· ὥσπερ δὲ τοῦτο πρόδηλον, ὅτι περὶ τῶν ἐπιτηδευόντων τὸ πρᾶγμα, καὶ τολμώντων ἑαυτοὺς ἐκτέμνειν, εἴρηται· οὕτως εἴ τινες ὑπὸ βαρβάρων ἢ δεσποτῶν εὐνουχίσθησαν, εὑρίσκοιντο δὲ ἄλλως ἄξιοι, τοὺς τοιούτους εἰς κλῆρον προσίεται ὁ κανών.*

[71] C. 21. (Cotel. [c. 17.] v. 1. p. 440.) . . . *Ὁ ἀκρωτηριάσας ἑαυτὸν, μὴ γινέσθω κληρικός· αὐτοφονεύτης* [al. *αὐτοφονευτὴς*] *γάρ ἐστιν* [*ἑαυτοῦ*] *καὶ τῆς τοῦ Θεοῦ δημιουργίας ἐχθρός.*

well as any others: which is noted by Gennadius[72] and the Council of Arles[73]. And indeed the first reason of making the canon was to prevent that mistaken notion of piety which had once possessed Origen[74]; who, taking those words of our Saviour, "there are some that make themselves eunuchs for the kingdom of heaven's sake," in a wrong sense, fulfilled them literally upon himself. And the Valesian heretics carried the matter a little further, asserting that men ought to serve God after that manner; and therefore they both made themselves eunuchs, and all that came over to them, as St. Austin[75] informs us. It was to correct and discountenance these erroneous opinions and practices that the Church at first made this rule; which was so nicely observed, that we scarce meet with two instances to the contrary in afterages. Leontius made himself an eunuch to avoid suspicion in his converse with the virgin Eustolium: but he was deposed from the office of presbyter for the fact, and it gave occasion to the Council of Nice to renew the ancient canon against such practices; so that when the Arians afterward ordained him bishop of Antioch, the historians[76] tell us, the Catholics generally declaimed against his

[72] De Eccles. Dogmat. c. 72. [al. 39.] (int. Oper. August. t. 8. append. p. 79 c.)... Neque eum [ordinandum] qui semetipsum quolibet corporis sui membro, indignatione aliqua vel justo injustove timore superatus, truncaverit.

[73] Arelat. 2. c. 7. (t. 4. p. 1012 b.) Hos, qui se, carnali vitio repugnare nescientes, abscindunt, ad clerum pervenire non posse.

[74] Vid. Euseb. l. 6. c. 8. (v. 1. p. 264. 23.) Ἐν τούτῳ δὲ τῆς κατηχήσεως ἐπὶ τῆς Ἀλεξανδρείας τοὔργον ἐπιτελοῦντι, τῷ Ὠριγένει πρᾶγμά τι διαπέπρακται, φρενὸς μὲν ἀτελοῦς καὶ νεανικῆς· πίστεώς γε μὴν ὁμοῦ καὶ σωφροσύνης μέγιστον δεῖγμα περιέχον· τὸ γὰρ, Εἰσὶν εὐνοῦχοι οἵτινες εὐνούχισαν ἑαυτοὺς διὰ τὴν βασιλείαν τῶν οὐρανῶν, ἁπλούστερον καὶ νεανικώτερον ἐκλαβὼν, ὁμοῦ μεν σωτήριον φωνὴν ἀποπληροῦν οἰόμενος· ὁμοῦ δὲ καὶ διὰ τὸ νέον τὴν ἡλικίαν ὄντα, μὴ ἀνδράσι μόνον, καὶ γυναιξὶ δὲ τὰ θεῖα προσομιλεῖν· ὡς ἂν πᾶσαν τὴν παρὰ τοῖς ἀπίστοις αἰσχρᾶς διαβολῆς ὑπόνοιαν ἀποκλείσειε, τὴν σωτήριον φωνὴν ἔργοις ἐπιτελέσαι ὡρμήθη, κ. τ. λ.—Epiphan. Hær. 64. Origen. n. 111. (t. 1. p. 527 a.) Φασὶ δὲ καὶ τοῦτον τὸν Ὠριγένην ἐπινενοηκέναι ἑαυτῷ κατὰ τὸ σωμάτιον· οἱ μὲν λέγουσι νεῦρον ἀποτετμηκέναι διὰ τὸ μὴ ἡδονῇ ὀχλεῖσθαι, μηδὲ ἐν ταῖς κινήσεσι ταῖς σωματικαῖς φλέγεσθαί τε καὶ πυρβολεῖσθαι· ἄλλοι δὲ οὐχί φησιν, ἀλλὰ ἐπενόησέ τι φάρμακον ἐπιθεῖναι τοῖς μορίοις, καὶ ἀποξηρᾶναι.

[75] De Hæres. c. 37. (t. 8. p. 11 d.) Valesii et seipsos castrant, et hospites suos, hoc modo existimantes Deo se debere servire.

[76] Socrat. l. 2. c. 26. (v. 2. p. 119. 29.).... Λεόντιος ὁ τῆς ἐν Ἀντιοχείᾳ ἐκκλησίας τότε προεστηκώς· ὅστις ἤνικα πρεσβύτερος ἦν, ἀφηρέθη τῆς ἀξίας, ὅτι γυναικὶ συνδιημερεύων Εὐστολίῳ ὄνομα, καὶ τὴν εἰς αὐτὴν οἰσχρὰν ὑπόνοιαν ἐπικρύψαι σπουδάσας, τῶν γενητικῶν ἐξέτεμεν ἑαυτὸν, καὶ τοῦ λοιποῦ παρρησιέστερον τῇ γυναικὶ συνδιῆγεν, ὡς μὴ ἔχων δι' ἃ εἰς αὐτὴν διεβάλλετο· γνώμῃ δὲ καὶ

ordination as uncanonical. The only instance, that looks like a dispensation with this rule, is what we have in Baronius concerning Timotheus, bishop of Alexandria, ordaining Ammon, the Egyptian monk, who to avoid being ordained had cut off his own right ear, to make himself irregular; notwithstanding which, Baronius[77] says, Timotheus ordained him, and justified what he did with this expression: 'that this law indeed was observed by the Jews; but, for his own part, if they brought to him a man without a nose, that was but of good morals, he would ordain him bishop.' But there is some reason to question the truth of this narration; for not only Palladius, whom Baronius cites, but Socrates[78] and Sozomen, in telling the story, seem rather to intimate that he was not ordained. However, supposing it to be true, it is a singular instance, and we shall hardly find such another in all the history of the Church: which shews how cautious the ancients were in observing this rule, that they might not bring any disrepute or scandal upon the Church.

Men only accountable for crimes committed after baptism, as to what concerned ordination.

10. But in all these and the like cases there is one thing particularly to be observed, that the crimes, which made men irregular, were generally understood to be such only as were committed after baptism. For all crimes committed before baptism were supposed to be so purged away in the waters of baptism, as that a perfect amnesty passed upon them, and men, notwithstanding them, were capable of ordination. So that not only the crimes which men committed whilst they were heathens, but such as they fell into when they were catechumens, were overlooked in this inquiry, when their morals came to be examined for ordination. This is evident, not only from the known case of St. Austin, whose faults were never objected to

σπουδῇ τοῦ βασιλέως Κωνσταντίου τῆς ἐν Ἀντιοχείᾳ ἐκκλησίας προεβλήθη ἐπίσκοπος μετὰ Στέφανον, ὃς Πλάκιτον διεδέκτο πρότερον.—Theodor. l. 2. c. 24. (v. 3. p. 105. 29.) Ἐν Ἀντιοχείᾳ δὲ μετὰ Στέφανον, ὃς Φλάκιτιον διαδεξάμενος τῶν ἐκκλησιαστικῶν ἐξηλάθη συλλόγων, Λεόντιος τὴν προεδρίαν ἐδέξατο, παρὰ τοὺς ἐν Νικαίᾳ γραφέντας ὅρους ταύτην λαβών· ἐκτομίας γὰρ ἦν, αὐτουργὸς γενόμενος τῆς τόλμης.

77 An. 385. n. 30. (t. 4. p. 523 d.) A Judæis lex ista servatur. Ego si dederitis mihi aliquem etiam naribus truncum, sed moribus probum, non eum dubitabo episcopum facere.

78 L. 4. c. 23. (v. 2. p. 242. 6.) Οὗτος ὁ Ἀμμώνιος εἰς ἐπισκοπὴν ἑλκόμενος, κ. τ. λ.—Conf. Sozom. l. 1. c. 14. (ibid. p. 29.)—Pallad. Hist. Lausiac. c. 12. (ap. Bibl. Patr. Gr. Lat. t. 2. p. 914 b.) Ὁ Ἀμμώνιος οὗτος, κ. τ. λ.

him at his ordination, because they were only such as preceded his baptism; but also from the rule made in the Council of Ancyra, in the case of such as lapsed into idolatry whilst they were only catechumens. For the canon[79] says, 'that such as sacrificed before baptism, and were afterward baptized, might be promoted to ecclesiastical dignities, as persons that were cleansed from all crimes by the sanctification of baptism.' It is true, that only one crime of sacrificing is here specified; but by parity of reason the rule must be understood to extend to all other cases of the like nature; and so the practice of the Church has commonly determined.

Except any great irregularity happened in their baptism itself. As in the case of clinic baptism.

11. Yet here again we must observe, that if any great irregularity happened in men's baptism itself, such crimes were always objected against them, to debar them from ordination. Thus it was frequently with those who were baptized only with *clinic baptism* in time of sickness or urgent necessity, when they had carelessly deferred their baptism to such a critical moment, and might have had it sooner, had it not been their own default. This delaying of baptism was always esteemed a very great crime, and worthy of some ecclesiastical censure; and therefore the Church, among other methods which she took to discountenance the practice of it, thought fit to punish persons who had been guilty of it, and had put themselves upon the fatal necessity of a clinic baptism, by denying them ordination. We have a canon[80] in the Council of Neo-Cæsarea to this purpose: 'If any man is baptized only in time of sickness, he shall not be ordained a presbyter, because his faith was not voluntary, but as it were of constraint; except his subsequent faith and diligence recommend him, or else the scarcity of men make it necessary to ordain him.' And that this was an old rule of the Church appears from the account which Cornelius[81] gives of the ordination of Novatian to be

[79] C. 12. (t. 1. p. 1460 e.) Τοὺς πρὸ τοῦ βαπτίσματος τεθυκότας, καὶ μετὰ ταῦτα βαπτισθέντας, ἔδοξεν εἰς τάξιν προάγεσθαι, ὡς ἀπολουσαμένους.

[80] C. 12. (ibid. p. 1483 b.) Ἐὰν νοσῶν τις φωτισθῇ, εἰς πρεσβύτερον ἄγεσθαι οὐ δύναται· οὐκ ἐκ προαιρέσεως γὰρ ἡ πίστις αὐτοῦ, ἀλλ' ἐξ ἀνάγκης· εἰ μὴ τάχα διὰ τὴν μετὰ ταῦτα αὐτοῦ σπουδὴν καὶ πίστιν, καὶ διὰ σπάνιν ἀνθρώπων.

[81] Ap. Euseb. l. 6. c. 43. (v. 1. p. 314. 16.) Ὃς διακωλυόμενος ὑπὸ παντὸς τοῦ κλήρου, ἀλλὰ καὶ λαϊκῶν πολλῶν· ἐπεὶ μὴ ἐξὸν ἦν τὸν ἐπὶ κλίνης διὰ νόσον περιχυθέντα, ὥσπερ καὶ οὗτος, εἰς κλῆρον τινὰ γενέσθαι, ἠξίωσε συγχωρηθῆναι αὐτῷ τοῦτον μόνον χειροτονῆσαι.

presbyter. He says the clergy and many of the people objected against it, alleging that it was not lawful to ordain one who had been baptized upon his bed in time of sickness; and that the bishop was forced to intercede with them to give way to his ordination, as a matter of grace and favour; which shews that the ordination of such was contrary to the common rule and practice of the Church.

And heretical baptism.

12. In like manner they who were *baptized by heretics* were not ordinarily allowed clerical promotion when they returned to the bosom of the Catholic Church. The Council of Eliberis[82] is very peremptory in its decree; 'that, whatever heresy they came from, they should not be ordained; or that, if any such were already ordained, they should be undoubtedly degraded.' Pope Innocent[83] testifies for the same practice in the Roman Church, saying, 'It is the custom of our Church to grant only lay-communion to those that return from heretics, by whom they were baptized, and not to admit any of them to the very lowest order of the clergy.' But it must be confessed, that the Council of Nice dispensed with the Novatians[84] in this respect, allowing their clergy, though both baptized and ordained among them, to be received with imposition of hands, and retain their orders in the Church. And the African fathers granted the same indulgence to the Donatists, to encourage them to return to the unity of the Catholic Church. For in the Council of Carthage, anno 397, which is inserted into the African Code[85], a proposal was made, 'that such as had been baptized among he Donatists in their infancy by their parents' fault, without their own knowledge and consent, should, upon

[82] C. 51. (t. 1. p. 976 b.) Ex omni hæresi qui ad nos fidelis venerit, [al. fidelis si venerit.] minime est ad clerum promovendus. Vel si qui sunt in præteritum ordinati, sine dubio deponantur.

[83] Ep. 22. c. 4. (t. 2. p. 1274 b.) Nostræ vero lex est ecclesiæ, venientibus ab hæreticis, qui tamen illic baptizati sint, per manus impositionem laicam tantum tribuere communionem, nec ex his aliquem in clericatus honorem vel exiguum subrogare.

[84] C. 8. (ibid. p. 32 e.) Περὶ τῶν ὀνομαζόντων μὲν ἑαυτοὺς καθαρούς ποτε, προσερχομένων δὲ τῇ καθολικῇ ἐκκλησίᾳ, ἔδοξε τῇ ἁγίᾳ καὶ μεγάλῃ συνόδῳ ὥστε χειροθετουμένους αὐτοὺς, μένειν οὕτως ἐν τῷ κλήρῳ.

[85] C. 48. [al. 47.] (ibid. p. 1071 b.) Ἤρεσεν, ἵνα ἐρωτήσωμεν τοὺς ἀδελφοὺς καὶ συνιερεῖς ἡμῶν Σιρίκιον καὶ Σιμπλικιανὸν περὶ μόνων τῶν νηπίων τῶν παρὰ τοῖς Δονατισταῖς βαπτιζομένων, μήπως τοῦτο, ὅπερ οἰκείᾳ προθέσει οὐκ ἐποίησαν, τῇ τῶν γονέων πλάνῃ ἐμποδίσῃ αὐτοῖς πρὸς τὸ μὴ προκόπτειν εἰς ὑπουργίαν τοῦ ἁγίου θυσιαστηρίου, ὅταν πρὸς τὴν τοῦ Θεοῦ ἐκκλησίαν σωτηριώδει προθέσει ἐπιστρέψωσι.

their return to the Church, be allowed the privilege of ordination;' and in the next Council[86] the proposal was accepted, and a decree passed accordingly in favour of them. By which we may understand, that this was a piece of discipline that might be insisted on or waived, according as Church-governors in prudence thought most for the benefit and advantage of the Church. But in case the persons so returning had been baptized by such heretics, whose baptism was null, and to be reiterated in the church;—as the baptism of the Paulianists, or Samosatenian heretics, was;—in that case, it was determined by the great Council of Nice[87], that such persons, when they were rebaptized, might be ordained. For baptism, as has been noted before, set men clear of all crimes; and their former baptism being null, that was reckoned their only baptism which they received at their return to the Catholic Church; and no crimes, committed before that, were then to prejudice their ordination in the Church.

No man to be ordained who had not made all his family Catholic Christians.

13. I cannot here omit to mention *another qualification* required of persons to be ordained, because it was of great use and service in the Church; which was, that none should be admitted, at least to the superior degrees of bishops, presbyters, or deacons, before they had made all the members of their family Catholic Christians. This is a rule we find in the third Council of Carthage[88], which was equally designed to promote the conversion of pagans, Jews, heretics, and schismatics, who are all opposed to Catholic Christians. And it was a very

[86] C. 58. [al. 57.] (ibid. p. 1083 b.) *Ἐπειδὴ ἐν τῇ ἀνωτέρᾳ συνόδῳ ὁρισθὲν μέμνηται ἅμα ἐμοὶ ἡ ὑμετέρα ὁμοψυχία, ὥστε τοὺς παρὰ τοῖς Δονατισταῖς μεροὺς βαπτιζομένους, μηδέπω δυναμένους γινώσκειν τῆς πλάνης αὐτῶν τὸν ὄλεθρον, μετὰ τὸ εἰς κεῖραν λογισμοῦ δεκτικὴν παραγενέσθαι, ἐπιγνωσθείσης τῆς ἀληθείας, τὴν φαυλότητα ἐκείνων βδελυττομένους πρὸς τὴν καθολικὴν τοῦ Θεοῦ ἐκκλησίαν, τὴν ἀνὰ πάντα τὸν κόσμον διακεχυμένην, τάξει ἀρχαίᾳ διὰ τῆς ἐπιθέσεως τῆς χειρὸς ἀναδεχθῆναι, τοὺς τοιούτους ἐκ τοῦ τῆς πλάνης ὀνόματος μὴ ὀφείλειν ἐμποδίζεσθαι εἰς τάξιν κληρώσεως, ὁπόταν τὴν ἀληθινὴν ἐκκλησίαν ἰδίαν ἑαυτῶν ἐλογίσαντο τῇ πίστει προσερχόμενοι, καὶ ἐν αὐτῇ τῷ Χριστῷ πιστεύσαντες, τῆς Τριάδος τὰ ἁγιάσματα ὑπεδέξαντο.*

[87] C. 19. (ibid. p. 37 d.) *Περὶ τῶν Παυλιανισάντων, εἶτα προσφυγόντων τῇ καθολικῇ ἐκκλησίᾳ, ὅρος ἐκτέθειται ἀναβαπτίζεσθαι αὐτοὺς ἐξάπαντος· εἰ δέ τινες ἐν τῷ παρεληλυθότι χρόνῳ ἐν τῷ κλήρῳ ἐξητάσθησαν, εἰ μὲν ἄμεμπτοι καὶ ἀνεπίληπτοι φανεῖεν, ἀναβαπτισθέντες χειροτονίσθωσαν ὑπὸ τοῦ τῆς καθολικῆς ἐκκλησίας ἐπισκόπου.*

[88] C. 18. (ibid. p. 1170 b.) Ut episcopi, presbyteri, et diaconi non ordinentur, priusquam omnes, qui sunt in domo eorum, Christianos catholicos fecerint.

proper rule in that case; since nothing could be more disadvantageous or dishonourable to religion than to have any countenance or secret encouragement given to its opposers by those who were designed to serve at the altar. Besides that, this was but a proper way of making reprisals upon the heathen religion. For Julian had made a like decree for his pagan-priests, in opposition to the Christians[89], charging Arsacius, high-priest of Galatia, 'that he should admit none to the priest's office who tolerated either servants, or children, or wives, that were Galilæans; and did not come with their whole family and retinue to the worship of the gods in the idol-temples.' It had been a great omission and oversight in the governors of the Christian Church had they not been as careful to secure the interest of the true religion in the families of their ministers as that pagan prince was to secure a false religion among his idol-priests; and therefore had there been nothing more than emulation in the case, yet that had been a sufficient reason to have laid this injunction upon all the candidates of the Christian priesthood.

What methods were anciently taken to prevent simoniacal promotions.

14. There is but *one qualification more* I shall mention under this head, which was, that men should come honestly and legally to their preferment, and use no indirect or sinister arts to procure themselves an ordination. Merit, and not bribery, was to be their advocate, and the only thing to be considered in all elections. In the three first ages, whilst the preferments were small, and the persecutions great, there was no great danger of ambitious spirits, nor any great occasion to make laws against simoniacal promotions. For then martyrdom was, as it were, a thing annexed to a bishopric; and the first persons that were commonly aimed and struck at were the rulers and governors of the Church. But in afterages ambition and bribery crept in among other vices, and then severe laws were made, both in Church and State, to check and prevent them. Sulpicius Severus takes notice of this difference betwixt the ages of persecution, and those that followed, when he says[90],

[89] Ep. ad Arsac. ap. Sozom. l. 5. c. 16. (v. 2. p. 203. 43.)...Τῆς ἱερατικῆς λειτουργίας ἀπόστησον, εἰ μὴ προσέρχονται μετὰ γυναικῶν καὶ παίδων καὶ θεραπόντων τοῖς θεοῖς, ἀλλὰ ἀνέχοιντο τῶν οἰκετῶν, ἢ υἱέων, ἢ τῶν Γαλιλαίων γαμετῶν, ἀσεβούντων μὲν εἰς τοὺς θεούς, ἀθεότητα δὲ θεοσεβείας προτιμώντων.

[90] Sacr. Hist. l. 2. p. 99. (p. 385.)

'that in the former men strove who should run fastest to those glorious combats, and more greedily sought for martyrdom by honourable deaths, than in aftertimes, by wicked ambitions, they sought for the bishoprics of the Church.' This implies, that in the age when Sulpicius lived, in the fifth century, some irregular arts were used, by particular men, to advance themselves to the preferments of the Church. To correct whose ambition and ill designs, the Church inflicted very severe censures upon all such as were found guilty of simony, or, as some then called it[91], Χριστεμπορείαν, *the selling of Christ.* The Council of Chalcedon decreed[92], 'that if any bishop gave ordination, or an ecclesiastical office or preferment of any kind, for money, he himself should lose his office, and the party so preferred be deposed.' And the reader may find several other constitutions of the same import, in those called the Apostolical Canons[93]; the Council of Constantinople[94] under Gennadius, anno 459; the second Council of Orleans[95], Bracara[96],

Quippe certatim gloriosa in certamina ruebantur, multoque avidius tum martyria gloriosis mortibus quærebantur, quam nunc episcopatus pravis ambitionibus appetuntur.

[91] Ep. Alexandr. Alexandrin. ap. Theodor. l. 1. c. 4. (v. 3. p. 9. 24.) Οἱ δὲ *τὴν ἐκείνου χριστεμπορείαν θεωροῦντες, οὐκ ἔτι τῆς ἐκκλησίας ὑποχείριοι μένειν ἐκαρτέρησαν.*

[92] C. 2. (t. 4. p. 755 b.) Εἴ *τις ἐπίσκοπος ἐπὶ χρήμασι χειροτονίαν ποιήσαιτο, καὶ εἰς πράσιν καταγάγῃ . . . . ἐπὶ χρήμασιν ἐπίσκοπον, ἢ χωρεπίσκοπον, ἢ πρεσβύτερον, ἢ διάκονον, ἢ ἑτερόν τινα τῶν ἐν τῷ κλήρῳ καταριθμουμένων, ἢ προβάλλοιτο ἐπὶ χρήμασιν ἢ οἰκόνομον, ἢ ἔκδικον, ἢ πρόσμονάριον, ἢ ὅλως τινὰ τοῦ κανόνος, δι' αἰσχροκέρδειαν οἰκείαν· ὁ τοῦτο ἐπιχειρήσας, ἐλεγχθεὶς, περὶ τὸν οἰκεῖον κινδυνευέτω βαθμόν· καὶ ὁ χειροτονούμενος μηδὲν ἐκ τῆς κατ' ἐμπορίαν ὠφελείσθω χειροτονίας ἢ προβολῆς, ἀλλ' ἔστω ἀλλότριος τῆς ἀξίας, ἢ τοῦ φροντίσματος, οὗπερ ἐπὶ χρήμασιν ἔτυχεν· εἰ δέ τις καὶ μεσιτεύων φανείη τοῖς οὕτως αἰσχροῖς καὶ ἀθεμίτοις λήμμασιν, καὶ οὗτος, εἰ μὲν κληρικὸς εἴη, τοῦ οἰκείου ἐκπιπτέτω βαθμοῦ· εἰ δὲ λαϊκὸς, ἢ μονάζων, ἀναθεματιζέσθω.*

[93] C. 29. [al. 31.] (Cotel. [c. 23.] v. 1. p. 441.) Εἴ *τις ἐπίσκοπος κοσμικοῖς ἄρχουσι χρησάμενος, δι' αὐτῶν ἐγκρατὴς γένηται ἐκκλησίας, καθαιρείσθω, καὶ ἀφοριζέσθω, καὶ οἱ κοινωνοῦντες αὐτῷ πάντες.*

[94] Ep. Synod. (t. 4. p. 1026 b.) Ὁ *δεσπότης ἡμῶν καὶ Θεὸς καὶ Σωτὴρ Ἰησοῦς Χριστὸς ἐγχειρίσας τοῖς ἁγίοις αὐτοῦ μαθηταῖς τοῦ εὐαγγελίου τὸ κήρυγμα καὶ διδασκάλους τούτους ἀνὰ πᾶσαν τὴν οἰκουμένην ἀνθρώποις ἐξαποστείλας, παρεκελεύσατο διαρρῆδην, ἣν εἰλήφασι παρ' αὐτοῦ δωρεὰν, ταύτης καὶ αὐτοὺς τοῖς ἀνθρώποις μεταδιδόναι δωρεὰν, μὴ κτωμένους ὑπὲρ αὐτῆς χαλκὸν, ἢ ἄργυρον, ἢ χρυσὸν, ἤ τινα περιουσίαν, ἄλλως ὅλως ὑλικὴν ἢ γεώδη . . ταύτην τὴν ἐντολὴν, οὐ μόνον ἐκείνοις, ἀλλὰ καὶ ἡμῖν δι' ἐκείνων ἐνετείλατο, κ. τ. λ.*

[95] C. 3. (ibid. p. 1780 d.) Ne quis episcopus de quibuslibet causis, vel episcoporum ordinationibus, cæterorumque clericorum, aliquid præsumat accipere: quia sacerdotem nefas est cupiditatis venalitate corrumpi.—C. 4. (ibid.) Si quis sacerdotium per pecuniæ nundinum exsecrabili ambitione quæsierit, abjiciatur ut reprobus: quia apostolica sententia donum Dei esse præcipit

and many others. The imperial laws also were very properly contrived to prevent this abuse: for by one of Justinian's laws[97] it was enacted, 'that, whenever a bishop was to be chosen, the electors themselves should take an oath, and insert it into the election-paper, that they did not choose him for any gift, or promise, or friendship, or any other cause, but only because they knew him to be a man of the true catholic faith, and an unblamable life, and good learning.' And in another of his laws[98], where this same injunction is repeated, it is further provided, 'that the party elected shall also at the time of his ordination take an oath, upon the Holy Gospels, that he neither gave nor promised, by himself or other, nor hereafter will give to his ordainer, or to his electors, or any other person, any thing to procure him an ordination.' And for any bishop to ordain another without observing the rule prescribed, is deposition by the same law, both for himself and the other whom he ordained.

These were some of those ancient rules to be observed in the examination of men's lives and morals, before they were consecrated to the sacred function, or admitted to serve in any of the chief offices of the Church.

CHAP. IV.

Of the qualifications of persons to be ordained, respecting their outward state and condition in the world.

No soldier to be ordained.

1. A THIRD inquiry was made into men's outward state and condition in the world. For there were some callings and states of life which debarred men from the privilege of ordination, not because they were esteemed absolutely sinful vocations, but because the duties attending them were commonly incompatible and inconsistent with the offices of the clergy. Of this nature were all those callings which come under the general name of *Militia Romana*, which we cannot so properly English, *the military life*, as *the service of the empire*. For it includes several offices, as well civil as military; the Romans, as Gotho-

pecuniæ trutina minime comparandum.

[96] Bracar. 3. c. 3. (t. 5. p. 897 a.) Placuit ut de ordinationibus clericorum episcopi munera nulla suscipiant, sed, sicut scriptum est, quod gratis donante Deo accipiunt, gratis dent. Et non aliquo pretio gratia Dei et impositio manuum venumdetur.

[97] Novel. 123. cap. 1. See ch. 2. s. 18. p. 31. n. 4. first part.

[98] Novel. 137. c. 2. See ibid. n. 4. second part.

fred[99] and other learned persons[1] have observed, calling all inferior offices by the name of *militia.* So there were three sorts of it, *militia palatina, militia castrensis* or *armata,* and *militia præsidialis* or *cohortalis;* the first including the officers of the emperor's palace; the second, the armed soldiery of the camp; and the third, the apparitors and officials of judges and governors of provinces; all which were so tied to their service, that they could not forsake their station. And for that reason, the laws of the State forbad any of them to be entertained as ecclesiastics, or ordained among the clergy. Honorius, the emperor, particularly made a law[2] to this purpose, 'that none, who were originally tied to the military life, as some were even by birth, should, either before or after they were entered upon that life, take upon them any clerical office, or think to excuse themselves from their service, under the notion of becoming ecclesiastical persons.' The canons of the Church seem to have carried the matter a little further; for they forbad the ordination of any who had been soldiers after baptism, because they might perhaps have imbrued their hands in blood. This appears from the letters of Innocent the First, who[3] blames the Spanish Churches for admitting such persons into orders, alleging the canons of the Church against

[99] In Cod. Theod. l. 12. tit. 1. de Decurioribus, leg. 63. (t. 4. p. 414.).... Militiæ appellatione hoc ævo omne officium et obsequium publicum dictum est.

[1] Valesius, Not. in Sozom. l. 5. c. 4. (v. 2. p. 185. n. 1.) Triplex.. fuit militia apud Romanos. Prima et honoratissima est Palatina: eorum scilicet qui in palatio militabant. Secunda fuit castrensis sive armata. Tertia fuit cohortalis; eorum scilicet qui in officio præfectorum et præsidum militabant.—Pagi, Crit. in Baron. an. 375. n. 12. (t. 1. p. 542.) Observat enim Gothofredus, hoc ævo *militiæ et militandi, στρατείας καὶ στρατεύεσθαι,* voce designari quæcumque officia muniaque publica: unde militia non tantum armata, sed etiam togata palatina, officialium advocatorum militia, *λειτουργία,* tandem omne publicum ministerium, atque adeo municipalia quoque seu curialia officia muniaque pro patria.

[2] Cod. Theod. l. 7. tit. 20. de Veteranis, leg. 12. (t. 2. p. 434.)... Quoniam plurimos vel ante militiam, vel post inchoatam, nec peractam, latere objectu piæ religionis agnovimus, dum se quidem vocabulo clericorum... defendunt, nulli omnino tali excusari objectione permittimus, &c.

[3] Ep. 24. c. 2. (CC. t. 2. p. 1281 d.) Quantos ex aliqua militia, qui cum potestatibus obedierunt [al. obedirent] severa necessario præcepta sunt executi.—Ibid. c. 6. (p. 1282 b.) Ne quispiam, qui post baptismum militaverit, ad ordinem debeat clericatus admitti.—Vid. Ep. 2. ad Victric. Rothomag. c. 2. (p. 1250 c.).. Si quis post remissionem peccatorum cingulum militiæ sæcularis habuerit, ad clericatum omnino admitti non debet.

it. The first Council of Toledo[4] forbids any such to be ordained deacons, 'though they had never been concerned in shedding of blood; because, though they had not actually shed blood, yet by entering upon the military life they had obliged themselves, if occasion had so required, to have done it.' Which seems to import, that soldiers might be allowed in the inferior services, but were not to be admitted to the sacred and superior orders of the Church.

Nor any slave or freedman without the consent of the patron.

2. Another state of life which debarred men from the privilege of ordination was that of *slaves* or *vassals* in the Roman empire; who, being originally tied by birth or purchase to their patron's or master's service, could not legally be ordained, because the service of the Church was incompatible with their other duties; and no man was to be defrauded of his right under pretence of an ordination. In this case, therefore, the patron was always to be consulted before the servant was ordained. Thus in one[5] of those called the Apostolical Canons we find a decree, 'that no servants should be admitted among the clergy without the consent of their masters, to the grievance of the owners and subversion of their families. But if a servant be found worthy of an ecclesiastical promotion, as Onesimus was, and his master give his consent, and grant him his freedom, and let him go forth from his house, he may be ordained.' The Council of Toledo has a canon[6] to the same purpose; and the Council of Eliberis[7] goes a little further, and says 'though a secular master,' that is, an heathen, as Albaspinæus interprets it, 'had made his servant a freeman, he should not be ordained.' The reason of which is conceived to be, that such masters gave

[4] C. 8. (ibid. p. 1224 e.) Si quis post baptismum militavit, et chlamydem sumpserit, aut cingulum [ad necandos fideles,] etiamsi gravia [al. graviora] non admiserit, si ad clerum admissus fuerit, [al. fuit] diaconii non accipiat dignitatem.

[5] C. 82. [al. 81.] (Cotel. [c. 73.] v. 1. p. 447.) Οἰκέτας εἰς κλῆρον προχειρίζεσθαι ἄνευ τῆς τῶν δεσποτῶν γνώμης, ἀνατροπὴν τὸ τοιοῦτο ἐργάζεσθαι· εἰ δέ ποτε καὶ ἄξιος φανείη ὁ οἰκέτης πρὸς χειροτονίαν βαθμοῦ, οἷος καὶ ὁ ἡμέτερος Ὀνήσιμος ἐφάνη, καὶ συγχωρήσουσιν οἱ δεσπόται, καὶ ἐλευθερώσουσι, καὶ τοῦ οἴκου ἑαυτῶν ἐξαποστελοῦσι, γινέσθω.

[6] Tolet. 1. c. 10. (t. 2. p. 1225 a.) Clericos, si quidem obligati sint [al. si qui obligati sunt] vel pro æquatione, vel [de] genere alicujus domus, non ordinandos, nisi probatæ vitæ fuerint, et patroni [al. patronorum] consensus accesserit.

[7] C. 80. (t. 1. p. 979 a.) Prohibendum est, ut liberti, quorum patroni in seculo fuerint, ad clerum provehantur [al. non promoveantur.]

them only a conditional freedom, and still retained a right to exact certain services and manual labours of them, which would not consist with the service of the Church. The imperial laws[8] also made provision in this case, that no persons under such obligations should be admitted to any office of the clergy; or if they were admitted merely to evade their obligations, their masters should have power to recall them to their service, unless they were bishops or presbyters, or had continued thirty years in some other office of the Church. By which it appears that the ordination of such persons was prohibited only upon a civil account; not because that state of life was sinful, or that it was any undervaluing or disgrace to the function to have such persons ordained, but because the duties of the civil and ecclesiastical state would not well consist together.

Nor any member of a civil company or society of tradesmen, who were tied to the service of the commonwealth.

3. For the same reason the laws forbad the ordination of *any persons who were incorporated into any society* for the service of the commonwealth, unless they had first obtained the leave of the society and prince under whom they served. This is the meaning of that law of Justinian[9] which forbids any of those called ταξεῶται or *cohortales*, that is, *the officers* or *apparitors* of judges, to be ordained, unless they had first spent fifteen years in a monastic life. And the first Council of Orleans[10] requires expressly, either the command of the prince, or the consent of the judge, before any such secular officer be ordained. By the laws of Theodosius Junior[11] and

[8] Valentin. 3. Novel. 12. ad calc. Cod. Theod. (t. 6. append. p. 26.) Nullus originarius, inquilinus, servus, vel colonus ad clericale munus accedat ... ut vinculum debitæ conditionis evadat.... Originarii (p. 27.) sane vel servi, qui *jugum natalium declinantes* ad ecclesiasticum se ordinem transtulerunt, exceptis episcopis et presbyteris, ad dominorum jura recedant, si non in eodem officio annum tricesimum compleverunt.

[9] Novel. 123. c. 15. (t. 5. p. 547.) Sed neque curialem, aut officialem, clericum fieri permittimus ... Nisi forsan monasticam vitam aliquis eorum non minus quindecim annis implevit. [The passage, as cited by the author, reads thus,—*Sed neque cohortales neque decuriones clerici fiunto. .... Dempto, si monachicam aliquis ex ipsis vitam non minus quindecim annis transegerit*:—a more exact rendering of the Greek. Vid. Ed. Amstel. 1663. p. 171. Ed.]

[10] C. 4. (t. 4. p. 1405 d.).... Nullus secularium ad clericatus officium præsumatur, nisi aut cum regis jussione, aut cum judicis voluntate.

[11] Novel. 26. de Corporatis Urb. Rom. ad calc. Cod. Theod. (t. 6. append. p. 13.) Illustris magnificentia tua pragmatici nostri tenore comperto sciat, corporatum urbis Romæ, qui, non expleto ordine cœpti officii, priusquam ad primum iter favos ad locum emeritus pervenerit, ad militiæ cujuslibet cingulum se credidit transferendum, corporibus,

Valentinian the Third[12], all corporation-men are forbidden to be ordained; and if any such were ordained among the inferior clergy, they were to be reclaimed by their respective companies; if among the superior, bishops, presbyters, or deacons, they must provide a proper substitute, qualified with their estate, to serve in the company from whence they were taken. The reader that is curious in this matter may find several other laws in the Theodosian Code[13], made by the elder Valentinian and Theodosius the Great, with respect to particular civil societies so incorporated for the use of the public; no member of which might be ordained, but either they must quit their estates, or be liable to be recalled to the service which they had unwarrantably forsaken.

For any of the *curiales*, or *decuriones*, of the Roman government.

4. For reasons of the same nature the canons were precise in forbidding the ordination of any of those who are commonly known by the name of *curiales*, or *decuriones*, in the Roman government; that is, such as were members of the *curia*, *the court*, or *common-council* of every city. These were men who by virtue of their estates were tied to bear the offices of their country; so that out of their body were chosen all civil officers, the magistrates of every city, the collectors of the public revenue, the overseers of all public works, the pontifices or flamens who exhibited the public games and shows to the people, with abundance of others

quibus nomen suum ante dicaverat, oportere revocari: sive etiam in clericorum numero reperitur, usque ad diaconis locum similis præcepti conditio teneatur, &c.

[12] Novel. 12. (ibid. pp. 26. et 27.) Ii.... qui.... diaconi ordinati sunt, suffectos pro se dare debebunt. Si non habent, unde sibi hac ratione prospiciant, ipsi ad nexum proprium reducantur. Cæteris inferioris gradus ad competentia ministeria retrahendis: exceptis episcopis atque presbyteris: servatis tamen, quæ de patrimonio talium personarum legum præcedentium statuta sanxerunt.... Ita ut hujus conditionis diaconus domino pro se vicarium reddat, omni pariter peculio restituto.

[13] L. 14. tit. 4. de Suariis, leg. 8. (t. 5. p. 178.) Eos etiam, qui ad clericatus se privilegia contulerunt, aut agnoscere oportet propriam functionem, aut ei corpori, quod declinant, proprii patrimonii facere cessionem. —L. 14. tit. 3. de Pistoribus, leg. 11. (ibid. p. 159.) Hac sanctione generaliter edicimus, nulli omnino ad ecclesias, ob declinanda pistrina, licentiam pandi: quod si quis ingressus fuerit, amputato privilegio Christianitatis, sciat se omni tempore ad consortium pistorum et posse et debere revocari. — L. 8. tit. 5. de Cursu Publico, leg. 46. (t. 2. p. 553.).... In his vero, qui non terrena sed cœlestia privilegia quæsiverunt, hoc custodiendum esse sancimus, ut si quemquam ex hujusmodi genere hominum jam tenet religio sacrosancta, ejusque operam non potest accipere mancipatus, facultates memorati cursus publicus consequatur.

whose offices are specified by Gothofred[14] to the number of twenty-two, which I need not here recite. These were always men of estates, whose substance amounted to the value of three hundred solids, which is the sum that is specified by Theodosius Junior[15] as qualifying a man to be a member of the *curia:* and both they and their estates were so tied to civil offices that no member of that body was to be admitted into any ecclesiastical office till he had first discharged all the offices of his country, or else provided a proper substitute, one of his relations qualified with his estate, to bear offices in his room. Otherwise the person so ordained was liable by the laws of the empire, of which I give a more particular account hereafter[16] in the next book, to be called back by the *curia* from an ecclesiastical to a secular life again. Which was such an inconvenience to the Church, that she herself made laws to prohibit the ordination of any of these *curiales,* to avoid the trouble and molestation which was commonly the consequent of their ordination. St. Ambrose[17] assures us, 'that some-

[14] Paratitlon. Cod. Theod. l. 12. tit. 1. de Decurionibus. (t. 4. p. 339.) Inter alia [curialium] munera, hæc erant. 1. Curæ publicæ iis committebantur. 2. Ad prosecutiones destinabantur. 3. Pecuniarum civitatis publicarum administratio eis committebatur. 4. Exactio item annonarum. 5. Adscriptio. 6. Susceptores in aliis provinciis creabantur, compulsores. 7. Susceptores suo periculo nominabant. 8. Judicum præcepta exsequebantur. 9. Gesta municipalia coram his fiebant. 10. Mansiones, horrea, pagi his committebantur. 11. Præpositi mansionum, horreorum pagis creabantur. 12. Procuratores metallorum ex his fiebant. 13. Descriptionibus, contributionibus facultates eorum subjectæ erant. 14. Calefaciendis thermis apud Antiochiam aliquid præstabant. 15. Adde et alia munera, veluti legationis, &c. 16. Ut postliminio reversi suis sedibus redderentur, auxilium suum deferre debebant. 17. Palatiorum a transeuntium injuriis et a senio vindicandorum cura ad eos quoque pertinebat; operum publicorum curam gessere, et reipublicæ pecuniæ. 18. Pericula ordinis complurima erant; aurum coronarium ab his præstabatur. 19. Cursus publici mancipatus ad hos aliquando pertinuit, aliquando non. 20. Non sufficientibus his qui ad cursus clavularis procurationem eligendi erant, curiales ad hoc munus vocati. 21. Providebant, quo pacto pastui militarium animalium sine læsione provincialium consuleretur. 22. Curialium munera inferiora fuere prototypiæ et exactiones: scribæ et logographi curiarum munera.

[15] Novel. 38. ad calc. Cod. Theod. (t. 6. append. p. 17.) Illam quoque partem dispositio nostra non præterit, ut quisquis civis vel incola deinceps in multo obnoxius, cujus tamen substantia trecentorum solidorum non exsuperat quantitatem, fuerit repertus, habeat adipiscendi clericatus liberam facultatem. Eum vero cujus patrimonium majore quam definivimus æstimatione censebitur, liceat curiæ secundum vetera statuta sociari.

[16] B. 5. ch. 3. s. 15.

[17] Ep. 29. [al. 40.] ad Theodos.

times presbyters and deacons, who were thus ordained out of the *curiales*, were fetched back to serve in curial offices after they had been thirty years and more in the service of the Church.' And therefore, to prevent this calamity, the Council of Illyricum, mentioned by Theodoret[18], made a decree 'that presbyters and deacons should always be chosen out of the inferior clergy, and not out of these *curiales*, or any other officers of the civil government.' Innocent, bishop of Rome, frequently refers to this rule of the Church in his Epistles[19], where he gives two reasons against their ordination. First, 'that they were often recalled by the *curia* to serve in civil offices, which brought some tribulation upon the Church.' Secondly, 'because many of them had served in the office of flamens[20] after baptism, and were crowned, as the heathen high-priests were used to be, while they exhibited the public games and shows to the people.' Which, though it was indulged by the Civil Law in Christian magistrates, yet the Church reckoned a crime, for which men were sometimes obliged to do public penance, as appears from the canons of the Council of Eliberis[21]; and consequently such a crime as made men irregular and incapable of ordination. So that upon both accounts these *curiales* were to be excluded from the orders of the Church. And though this rule by the importunity of men was sometimes transgressed, yet the laws both of Church and State always stood in force against such ordinations; and sometimes the ordainers themselves were punished with ecclesiastical censures. Of which there is a

(t. 2. p. 954 e. n. 29.).... Per triginta et innumeros annos presbyteri quidam gradu functi, vel ministri ecclesiæ retrahuntur a munere sacro, et curiæ deputantur.

[18] L. 4. c. 9. (v. 3. p. 159. 14.) Ὁμοίως τε καὶ πρεσβυτέρους καὶ διακόνους, ἐξ αὐτοῦ τοῦ ἱερατικοῦ τάγματος.... καὶ μὴ ἀπὸ τοῦ βουλευτηρίου καὶ στρατιωτικῆς ἀρχῆς. [Vid. Labb. CC. t. 2. p. 831 c. Ed.]

[19] Ep. 4. c. 3. (CC. t. 2. p. 1261 a.) De curialibus .... manifesta ratio est, quoniam etsi inveniantur hujusmodi viri qui debeant clerici fieri, tamen quoniam sæpius ad curiam repetuntur, cavendum ab his est propter tribulationem, quæ sæpe de his ecclesiæ provenit.

[20] Ep. 24. c. 4. (ibid. 1282 b.) Neque de curialibus aliquem venire ad ecclesiasticum ordinem posse, qui post baptismum vel coronati fuerint, vel sacerdotium, quod dicitur, sustinuerint, et editiones publicas celebraverint, &c.

[21] C. 3. (t. 1. p. 971 a.).... Flamines, qui non immolaverint, sed munus tantum dederint, eo quod se a funestis abstinuerunt sacrificiis, placuit, in fine eis præstari communionem: acta tamen legitima pœnitentia.

famous instance related by Sozomen[22], who says the Council of Constantinople, anno 360, deposed Neonas from his bishopric for ordaining some of these *curiales* bishops. Sozomen indeed calls them πολιτευόμενοι, but that is but another name for *curiales*, whom the Greeks otherwise term βουλευταὶ, *counsellors;* and the Latins *municipes, burghers*, or *corporation-men;* and *minor senatus*[23], *the little senate* of every city, in opposition to the great senate of Constantinople and Rome. These persons, whatever denomination they went by, were so entirely devoted to the service of the commonwealth, that till they had some way or other discharged that duty, they might not, as appears, be admitted to serve in any office of the Church.

Nor any proctor o guardian till his of expired.

5. Indeed it was a general rule in this matter, as we learn from one of the Councils of Carthage[24], 'that no one was to be ordained who was bound to any secular service.' And for that reason it was decreed by the same Council[25], at least for the Churches of Afric, 'that no agent or factor in other men's business, nor any guardian of orphans, should be ordained, till his office and administration was perfectly expired; because the ordination of such would otherwise turn to the reproach and defamation of the Church.' But, if I mistake not, this prohibition did not extend to the inferior orders, but only to those whose office was to serve at the altar.

Pleaders law deni ordinatio in the Roman Church.

6. In some Churches there seems also to have been an absolute prohibition and rule against ordaining *advocates* or *pleaders at law*, not only whilst they continued in their profession, but for ever after. This seems to have been the custom

[22] L. 4. c. 24. (v. 2. p. 170. 30.) Νέωνα δὲ [καθαιροῦσι] ὡς .... ἀπείρους τινὰς ἱερῶν γραφῶν καὶ θεσμῶν ἐκκλησίας, ἀπερισκέπτως πολιτευομένους ὄντας, ἐπισκόπους καταστήσαντα.

[23] Majorian. Novel. 1. ad calc. Cod. Theod. (t. 6. append. p. 32.) Curiales servos esse reipublicæ ac viscera civitatum nullus ignorat, quorum cœtum recte appellavit antiquitas minorem senatum.

[24] C. 9. (t. 2. p. 1825 b.) Obnoxii alienis negotiis non ordinentur.

[25] C. 8. (ibid. a.) Magnus episcopus Aptungensis dixit: Quid dilectioni vestræ videtur procuratores et actores, tutores etiam seu curatores pupillorum, si debeant ordinari? Gratus episcopus dixit: Si post deposita universa, et reddita ratiocinia, actus vitæ ipsorum fuerint comprobati in omnibus, debent et cum laude, cleri, si postulati fuerint, honore mererari. Si enim ante libertatem negotiorum vel officiorum ab aliquo sine consideratione fuerint ordinati, ecclesia infamatur. Universi dixerunt: Recte omnia statuit sanctitas tua: ideoque tua nostra est quoque sententia.

of the Roman and Spanish Churches. For Innocent, bishop of Rome, in a letter[26] to the Council of Toledo, complains of an abuse then crept into the Spanish Church, which was, that many who were exercised in pleading at the bar were called to the priesthood. To correct which abuse, as he deemed it, he proposed this rule to them to be observed[27], 'that no one who had pleaded causes after baptism should be admitted to any order of the clergy.' What particular reasons the Church of Rome might then have for this prohibition I cannot say; but it does not appear that this was the general rule of the whole Catholic Church. For the Council of Sardica[28] allows a lawyer even to be ordained bishop, if he first went regularly through the offices of reader, deacon, and presbyter; which shews, that the custom as to this particular was not one and the same in all Churches.

lo energumens, ors, ge-players, &c. in Church-

7. The reader may find *several other cautions* given by Gennadius[29] against ordaining any who had been actors or stage-players; or energumens, during the time of their being possessed; or such as had married concubines, that is, wives without formality of law; or that had married harlots, or wives divorced from a former husband. But I need not insist upon these, since the very naming them shews all such persons to have been in such a state of life, as might reasonably be accounted a just impediment of ordination. It will be more material to inquire, what the ancients meant by digamy, which, after the Apostle, they always reckoned an objection against a man's ordination?—And whether any vow of perpetual celi-

[26] Ep. 24. ad C. Tolet. c. 4. (CC. ibid. p. 1281 c.).... Quantos ex eis, qui post acceptam baptismi gratiam, in forensi exercitatione versati sunt, et obtinendi pertinaciam susceperunt, accitos [al. adscitos] ad sacerdotium esse comperimus?

[27] Ibid. c. 6. (b.) Ne quispiam ... ad ordinem debeat clericatus admitti ... qui causas post acceptum baptismum egerit.

[28] C. 10. (ibid. p. 636 b.) *Ὅσιος ἐπίσκοπος εἶπε· Καὶ τοῦτο ἀναγκαῖον εἶναι νομίζω, ἵνα μετὰ πάσης ἀκριβείας καὶ ἐπιμελείας ἐξετάζοιτο, ὥστε ἐάν τις πλούσιος, ἢ σχολαστικὸς ἀπὸ τῆς ἀγορᾶς ἀξιοῖτο ἐπίσκοπος γίνεσθαι, μὴ πρότερον καθίστασθαι, ἐὰν μὴ καὶ ἀναγνώστου, καὶ διακόνου, καὶ πρεσβυτέρου ὑπηρεσίαν ἐκτελέσῃ· ἵνα καθ' ἕκαστον βαθμὸν, ἐάνπερ ἄξιος νομισθείη, εἰς τὴν ἀψίδα τῆς ἐπισκοπῆς κατὰ προκοπὴν διαβῆναι δυνηθείη.*

[29] De Eccles. Dogmat. c. 72. [al. 39.] (int. Oper. August. t. 8. append. p. 79 d.)..... Neque eum [ordinandum] qui unam quidem, sed concubinam, non matronam habuit. Neque illum qui viduam, aut repudiatam, vel meretricem in matrimonio sumpsit.... Neque illum, qui usuras accepisse convincitur, aut in scena lusisse dignoscitur.

bacy was exacted of the ancient clergy, when they were admitted to the orders of the Church?—Which, because they are questions that come properly under this head, it will not be amiss to resolve distinctly, but briefly, in the following chapter.

CHAP. V.

Of the state of digamy and celibacy in particular, and of the laws of the Church about these in reference to the ancient clergy.

No digamist to be ordained, by the rule of the Apostle.

1. As to what concerns digamy, it was a primitive apostolical rule, 'that a bishop or a deacon should be one who was the husband of one wife only,' on which rule all the laws against digamy in the primitive Church were founded. But then we are to observe, that the ancients were not exactly agreed about the sense of that apostolical rule; and that occasioned different notions and different practices among them in reference to the ordination of digamists.

Three different opinions among the ancients about digamy: 1. That all persons were to be refused orders as digamists who were twice married after baptism.

2. One very common and prevailing notion was, that all persons were to be refused orders as digamists who were *twice married* after baptism, though legally and successively to two wives one after another. For though they did not condemn second marriages as sinful and unlawful with the Novatians and Montanists, yet upon presumption that the Apostle had forbidden persons twice married to be ordained bishops, they repelled such from the superior orders of the Church. That this was the practice of some Churches in the time of Origen, may appear from what he says in his Comments upon St. Luke[30], 'that not only fornication, but marriages excluded men from the dignities of the Church; for no digamist could be either bishop, or presbyter, or deacon, or deaconess in the Church.' Tertullian, when he became a Montanist, laid hold of this argument, and urged it to decry second marriages in all persons; pleading[31], 'that a layman could not in decency desire licence of the ecclesiasties to be married a second time,

[30] Hom. 17. in Luc. p. 228. (t. 3. p. 953 e.) Ab ecclesiasticis dignitatibus non solum fornicatio, sed et nuptiæ repellunt: neque enim episcopus, nec presbyter, nec diaconus, nec vidua, possunt esse digami.

[31] De Monogam. c. 11. (p. 531 c.) Qualis es id matrimonium postulans, quod eis, a quibus postulas, non licet habere? Ab episcopo monogamo, a presbyteris et diaconis ejusdem sacramenti, &c.

seeing the ecclesiastics themselves, bishops, presbyters, and deacons were but once married;' which he repeats frequently in several parts[32] of his writings. And it cannot be denied, but that many other ancient writers, St. Ambrose[33], St. Jerom[34], Gennadius[35], Epiphanius[36], and the Councils of Agde[37] and Carthage[38], put the same sense upon the words of the Apostle.

[32] De Exhort. Castitat. c. 7. (p. 521 d.) Ecce enim in veteri lege animadverto castratam licentiam sæpius nubendi.. Apud nos plenius atque instructius [al. structius] præscribitur, unius esse matrimonii oportere, qui alleguntur in ordinem sacerdotalem. Usque adeo quosdam memini digamos loco dejectos. —Ad Uxor. l. 1. c. 7. (p. 165 c.) Quantum detrahant, [fidei] quantum obstrepant sanctitati nuptiæ secundæ, disciplina ecclesiæ et præscriptio Apostoli declarat, cum digamos non sinit præsidere, etc.

[33] De Offic. l. 1. c. 50. (t. 2. p. 66 b. n. 257.) De castimonia autem quid loquar, quando una tantum, nec repetita permittitur copula? Et in ipso ergo conjugio lex est, non iterare conjugium, nec secundæ conjugis sortiri conjunctionem. Quod plerisque mirum videtur, cur etiam ante baptismum iterati conjugii ad electionem muneris et ordinationis prærogativam impedimenta generentur; cum etiam delicta obesse non soleant, si lavacri remissa fuerint sacramento. Sed intelligere debemus, quia baptismo culpa dimitti potest, lex aboleri non potest. In conjugio non culpa, sed lex est. Quod culpæ est igitur, in baptismate relaxatur: quod legis est, in conjugio non solvitur.

[34] Ep. 2. [al. 52.] ad Nepotian. (t. 1. p. 267 a. n. 16.) Prædicator continentiæ nuptias ne conciliet. Qui Apostolum legit dicentem, *Superest, ut qui habent uxores, sic sint, quasi non habeant;* cur virginem cogit ut nubat? Qui de monogamia sacerdos est, quare viduam hortatur, ut digama sit?—Ep. 11. [al. 123.] ad Ageruch. (ibid. p. 898 d. n. 6.).... Considera, quod vidua non eligatur, nisi unius viri uxor: et nos putamus sacerdotum hoc tantum esse privilegium, ut non admittatur ad altare, nisi qui unam habuerit uxorem. Non solum enim ab officio sacerdotii digamus excluditur, sed et ab eleemosyna ecclesiæ, dum indigna putatur stipe, quæ ad secunda conjugia devoluta est. Quamquam lege sacerdotali teneatur, et laicus, qui talem præbere se debet, ut possit eligi in sacerdotium. Non enim eligitur, si digamus fuerit. Porro eliguntur ex laicis sacerdotes. Ergo, et laicus tenetur mandato, per quod ad sacerdotium pervenitur. —Ep. 83. [al. 69.] ad Ocean. (ibid. p. 412 e. ult. lin. et p. 413 a. n. 3.) In utraque Epistola [Timothei et Titi] sive episcopi, sive presbyteri ..jubentur monogami in clerum eligi.

[35] De Eccles. Dogmat. c. 73. [al. 39.] (int. Oper. August. t. 8. append. p. 79 c.) Maritum duarum post baptismum matronarum clericum non ordinandum.

[36] Expos. Fid. n. 21. (t. 1. p. 1104 a.) *Δευτερόγαμον οὐκ ἔξεστι δέχεσθαι ἐν αὐτῇ [ἐκκλησίᾳ] εἰς ἱερωσύνην, κἂν τε ἐγκρατευόμενος εἴη χῆρος,* [corruptus hic locus. Petav. in marg.] *ἀπαρχῆς τάξεως ἐπισκόπου, καὶ πρεσβυτέρου, καὶ διακόνου, καὶ ὑποδιακόνου· μετὰ ταύτην τὴν ἱερωσύνην λοιπὸν ἀναγνωστῶν τάγμα ἐξ ὅλων τῶν ταγμάτων, τουτέστι παρθένων, καὶ μοναζόντων, καὶ ἐγκρατευομένων, καὶ χηρευσάντων, καὶ τῶν ἔτι ἐν σεμνῷ γάμῳ.*

[37] C. 1. (t. 4. p. 1383 a.) ... Placuit de bigamis aut internuptarum maritis, quamquam aliud patrum statuta decreverint, ut qui huc usque ordinati sunt, habita miseratione, presbyterii vel diaconatus nomen tantum obtineant; officium vero presbyteri consecrandi, et ministrandi hujusmodi diacones non præsumant.

[38] Carth. 4. c. 69 (t. 2. p. 1205 c.) Simili sententiæ subjacebit episco-

Only Epiphanius puts a distinction between the superior and inferior orders, making the rule in this sense obligatory to the former, but not to the latter.

Secondly, others extended the rule to all persons twice married, whether before or after baptism.

3. Some there are again who gave the rule a stricter exposition, making it a prohibition not only of ordaining persons twice married after baptism, but also such as were twice married before it, or once before and once after; as many Gentiles and catechumens happened to be in those times, when baptism was administered to adult persons. St. Ambrose[39] was of opinion, that even these were to be excluded from ordination; and so it was decreed by Innocent, bishop of Rome[40], and the Council of Valencia[41] in France. But this opinion was generally rejected by others as furthest from the sense of the Apostle.

Thirdly, the most probable opinion of those who thought the

4. The most probable opinion is that of those ancient writers who interpret the Apostle's rule as a prohibition of ordaining polygamists, or such as had married many wives at the same time; and such as had causelessly put away their wives, and

pus, si sciens ordinaverit clericum eum, qui viduam aut repudiatam uxorem habuit, aut secundam.

[39] Ep. 82. [al. 63.] ad Vercellens. (t. 2. p. 1037 a. n. 63.) Plerique ita argumentantur, unius uxoris virum dici post baptismum habitæ; eo quod baptismo vitium sit ablutum, quo afferebatur impedimentum. Et vitia quidem atque peccata diluuntur omnia; ut si quis contaminaverit suum corpus cum plurimis, quas nulla conjugii lege sociaverit, remittantur ei omnia: sed conjugia non resolvuntur, si quis iteraverit; culpa enim lavacro, non lex solvitur: nulla enim culpa conjugii, sed lex est. ... Ideo et Apostolus legem posuit, dicens: *Si quis sine crimine est, unius uxoris vir.* Ergo qui sine crimine est, unius uxoris vir, tenetur ad legem sacerdotii suscipiendi: qui autem iteraverit conjugium, culpam quidem non habet coinquinati, sed prærogativa exuitur sacerdotis.

[40] Ep. 2. c. 6. (CC. t. 2. p. 1251 a.) .... Ne aliquibus existimetur, ante baptismum si forte quis accepit uxorem, et, ea de sæculo recedente, alteram duxerit, in baptismo esse dimissum, satis errat a regula: quia in baptismo peccata remittuntur, non acceptarum uxorum numerus aboletur.—Ep. 23. c. 6. (ibid. p. 1278 d.) Nec illud debere admitti, quod aliquanti pro defensione pravi erroris opponunt, et asserunt, quod ante baptismum [*uxor accepta non debeat imputari quia in baptismo*] omnia dimittuntur; non intelligentes hujusmodi, quod sola in baptismo omnia [al. peccata] dimittuntur, non uxorum numerus aboletur. [The words between the first pair of brackets are not read in Labbe. Ed.]—Conf. Ep. 22. c. 2. (ibid. p. 1272 e.) Deinde ponitur, non dici oportere bigamum, eum qui catechumenus habuerit atque amiserit uxorem, &c.

[41] C. 1. (ibid. p. 905 a.) Sedit igitur neminem post hanc synodum, qua ejusmodi illicitis vel sero succurritur, de digamis, aut internuptarum maritis, ordinari clericum posse. Nec requirendum, utrumne initiati sacramentis divinis, anne gentiles, hac se infelicis sortis necessitate macularint, cum divini præcepti casta sit forma.

Apostle by digamists meant polygamists, and such as married after a divorce.

married others after divorcing the former; which were then very common practices both among Jews and Gentiles, but scandalous in themselves, and such as the Apostles would have to be accounted just impediments of ordination. This is the sense which Chrysostom[42] and Theodoret[43] propose and defend as most agreeable to the mind of the Apostle. And it is certain that second marriages in any other sense were not always an insuperable objection against men's ordination in the Christian Church. For Tertullian[44] owns that there were bishops among the Catholics who had been twice married; though, in his style, that was an affront to the Apostle. And it appears from the Letters of Siricius[45] and Innocent[46] that the bishops of Spain and Greece made no scruple to ordain such generally among the clergy; for they take upon them to reprove them for it. Theodoret, agreeably to his own notion, ordained one Irenæus bishop, who was twice married; and, when some objected against the legality of the ordination upon that account,

[42] Hom. 10. in 1 Tim. 3, 2. (t. 11. p. 598 f.)...Μιᾶς γυναικὸς ἄνδρα· οὐ νομοθετῶν τοῦτό φησιν, ὡς μὴ εἶναι ἐξὸν ἄνευ τούτου γίνεσθαι, ἀλλὰ τὴν ἀμετρίαν κωλύων· ἐπειδὴ ἐπὶ τῶν Ἰουδαίων ἐξῆν καὶ δευτέροις ὁμιλεῖν γάμοις, καὶ δύο ἔχειν κατὰ ταὐτὸν γυναῖκας· τίμιος γὰρ ὁ γάμος. τινὲς δέ, ἵνα μιᾶς γυναικὸς ἀνὴρ ᾖ, φασὶ τοῦτο εἰρῆσθαι.—Conf. Hom. 2. in Tit. 1, 6. (p. 738 a.)...Ἐπιστομίζει τοὺς αἱρετικοὺς τοὺς τὸν γάμον διαβάλλοντας, δεικνὺς, ὅτι τὸ πρᾶγμα οὐκ ἐστιν ἐναγὲς, ἀλλ' οὕτω τίμιον, ὡς μετ' αὐτοῦ δύνασθαι καὶ ἐπὶ τὸν ἅγιον ἀναβαίνειν θρόνον. ἐν ταὐτῷ δὲ καὶ τοὺς ἀσελγεῖς κολάζων, καὶ οὐκ ἀφελὼ μετὰ δευτέρου γάμου τὴν ἀρχὴν ἐγχειρίζεσθαι ταύτην· ὁ γὰρ πρὸς τὴν ἀπελθοῦσαν μηδεμίαν φυλάξας εὔνοιαν, πῶς ἂν οὗτος γένοιτο προστάτης καλός; τίνα δὲ οὐκ ἂν ὑποσταίη κατηγορίαν; ἴστε γὰρ ἅπαντες, ἴστε ὅτι εἰ μὴ κεκώλυται παρὰ τῶν νόμων τὸ δευτέροις ὁμιλεῖν γάμοις, ἀλλ' ὅμως πολλὰς ἔχει τὸ πρᾶγμα κατηγορίας· οὐδεμίαν οὖν παρέχειν λαβὴν τοῖς ἀρχομένοις τὸν ἄρχοντα βούλεται.

[43] In 1 Tim. 3, 2. (t. 3. part. 1. p. 653.) Πάλαι γὰρ εἰώθεισαν καὶ Ἕλληνες καὶ Ἰουδαῖοι, καὶ δύο καὶ τρισὶ καὶ πλείοσι γυναιξὶ νόμῳ γάμου κατὰ ταὐτὸν συνοικεῖν· τινὲς δὲ καὶ νῦν, καίτοι τῶν βασιλικῶν νόμων δύο κατὰ ταὐτὸν ἄγεσθαι κωλυόντων γυναῖκας, καὶ παλλακῖσι μίγνυνται, καὶ ἑταίραις· ἔφασαν τοίνυν, τὸν θεῖον Ἀπόστολον εἰρηκέναι, τὸν μιᾷ μόνῃ γυναικὶ συνοικοῦντα σωφρόνως, τῆς ἐπισκοπικῆς ἄξιον εἶναι χειροτονίας· οὐ γὰρ τὸν δεύτερον, φασὶν, ἐξέβαλε γάμον, ὅγε πολλάκις τοῦτο γενέσθαι κελεύσας.

[44] De Monogam. c. 12. (p. 533 b.) Quod [al. quot] enim et digami præsident apud vos, insultantes utique Apostolo?

[45] Ep. 1. ad Himer. Tarracon. c. 8. (CC. t. 2. p. 1021 a.)..Apostolus.. *unius uxoris virum* tam sacerdotem, quam diaconum fieri debere mandavit. Quæ omnia ita a vestrarum regionum despiciuntur episcopis, quasi in contrarium magis fuerint constituta.

[46] Ep. 22. ad Episc. Macedon. c. 1. (ibid. p. 1272 d.) Eos, qui viduas accepisse suggeruntur uxores, non solum clericos effectos agnovi, verum etiam usque ad infulas summi sacerdotii pervenisse: quod contra legis esse præcepta nullus ignorat.

he defended it by the common practice of other Churches. 'Herein,' says he[47], 'I followed the example of my predecessors. Alexander, bishop of the apostolical see of Antioch, with Acacius of Berœa, ordained Diogenes, a digamist; and Praylius ordained Domninus of Cæsarea, a digamist likewise. Proclus, bishop of Constantinople, received and approved the ordination of many such; and so do the bishops of Pontus and Palestine, among whom no controversy is made about it.' From hence it appears, that the practice of the Church varied in this matter; and that therefore Bellarmin and other Romanists very much abuse their readers when they pretend that the ordination of digamists, meaning persons twice lawfully married, is both against the rule of the Apostle and the universal consent and practice of the Church.

5. They still more abuse their readers in pretending that a vow of perpetual celibacy, or abstinence from conjugal society, was required of the clergy, as a condition of their ordination, even from the apostolical ages. For the contrary is very evident from innumerable examples of bishops and presbyters, who lived in a state of matrimony without any prejudice to their ordination or function. It is generally agreed by ancient writers that most of the Apostles were married. Some[48] say, all of them, except St. Paul and St. John. Others say, St. Paul was married also, because he writes to *his yoke-fellow*, whom

No v celib quire the c as a tion c ordin for th three ages.

[47] Ep. 110. ad Domn. (t. 4. part. 2. p. 1180.) Εἰς τὸ τῆς διγαμίας, τοῖς πρὸ ἡμῶν ἠκολουθήσαμεν· καὶ γὰρ ὁ τῆς μακαρίας καὶ ὁσίας μνήμης Ἀλέξανδρος, ὁ τὸν ἀποστολικὸν τοῦτον διακοσμήσας θρόνον, σὺν τῷ μακαριωτάτῳ Ἀκακίῳ τῆς Βεροίας ἐπισκόπῳ, τὸν τῆς μακαρίας μνήμης Διογένην ἐχειροτόνησαν δίγαμον ὄντα· ὡσαύτως δὲ καὶ ὁ μακάριος Πραΰλιος Δομνῖνον τὸν Καισαρείας δίγαμον ὄντα· ἔθει τοίνυν ἠκολουθήσαμεν, καὶ ἀνδράσιν ἐπισήμοις, καὶ ἐπὶ γνώσει καὶ βίῳ πολυθρυλλήτοις· πολλὰ δὲ καὶ ἄλλα τοιαῦτα δεδιδαγμένος ὁ τῆς μακαρίας μνήμης Πρόκλος, ὁ τῆς Κωνσταντινουπολιτῶν ἐπίσκοπος, καὶ αὐτὸς τὴν χειροτονίαν ἐδέξατο, καὶ ἔγραψεν ἐπαινῶν καὶ θαυμάζων. ὡσαύτως δὲ καὶ οἱ πρωτεύοντες τῆς Ποντικῆς διοικήσεως θεοφιλέστατοι ἐπίσκοποι, καὶ οἱ Παλαιστῖνοι πάντες, καὶ οὐδεμία ἀμφιβολία περὶ τούτου γεγένηται.

[48] Ambros. al. Hilar. Diacon. in 2 Cor. 11, 2. (t. 2. append. p. 198 b.) Omnes Apostoli, exceptis Joanne et Paulo, uxores habuerunt.—Epiphan. Hær. 78. Antidicomar. n. 10. (t. 1. p. 1042 c.) Εἰ ἦσαν δὲ τέκνα τῇ Μαρίᾳ, καὶ εἰ ὑπῆρχεν αὐτῇ ἀνήρ, τίνι λόγῳ παρεδίδου τὴν Μαρίαν τῷ Ἰωάννῃ, καὶ τὸν Ἰωάννην τῇ Μαρίᾳ; τίνι δὲ τῷ λόγῳ Πέτρῳ μᾶλλον οὐ παραδίδωσι; τίνι δὲ τῷ λόγῳ Ἀνδρείᾳ, Ματθαίῳ τε, καὶ Βαρθολομαίῳ; ἀλλὰ δῆλον ὅτι Ἰωάννῃ διὰ τὴν παρθενίαν. —Cotelerius cites Eusebius, Basil, and some others, for the same opinion. Vid. Not. in Ignat. Ep. ad Philadelph. Interpolat. n. 4. See note 52, following.

they interpret *his wife.* Phil. 4, 3. This was the opinion of Clemens Alexandrinus[49], wherein he seems to be followed by Eusebius[50], and Origen[51], and the author of the interpolated Epistle to the Church of Philadelphia[52] under the name of Ignatius; whom some modern Romanists, mistaking him for the true Ignatius, have most disingenuously mangled, by erasing the name of Paul out of the text: which foul dealing bishop Usher[53] has exposed, and Cotelerius[54] does in effect confess it, when he owns that the author himself wrote it, and that he therein followed the authority of Clemens, Origen, and Eusebius. But passing by this about St. Paul, which is a matter of dispute among learned men, the major part inclining to think that he always lived a single life, it cannot be denied that others of the Apostles were married. And in the next ages after them we have accounts of married bishops, presbyters, and deacons, without any reproof or mark of dishonour set upon them. As to instance in a few, Valens, presbyter of Philippi, mentioned by Polycarp[55]; Chæremon, bishop of Nilus, an exceeding old man, who fled with his wife to mount Arabion in time of persecution, where they both perished together, as Eusebius[56] informs us. Novatus was a married presbyter of Carthage, as we learn from Cyprian's Epistles[57].

[49] Strom. 3. p. 448. (p. 535. 18.) Καὶ ὄγε Παῦλος οὐκ ὀκνεῖ ἔν τινι ἐπιστολῇ τὴν αὐτοῦ προσαγορεύειν σύζυγον, ἣν οὐ περὶ ἐκόμιζεν, διὰ τὸ τῆς ὑπηρεσίας εὐσταλές.

[50] L. 3. c. 30. (v. 1. p. 124. 25.) Where the words of Clement, quoted in the preceding note, are recited, reading προσαγορεῦσαι.

[51] In Rom. 1. p. 459. (t. 4. p. 461 c.) Paulus ergo, sicut quidam tradunt, cum uxore vocatus est: de qua dicit, ad Philippenses scribens, Rogo etiam te, germana compar, &c.

[52] Ep. ad Philadelph. n. 4. (Cotel. v. 2. p. 80.)... Ὡς Πέτρου, καὶ Παύλου, καὶ τῶν ἄλλων Ἀποστόλων τῶν γάμοις προσομιλησάντων.

[53] Dissert. in Ignat. c. 17. tot. (Cotel. ibid. pp. 226—228.) Interpolator Ignatii, &c.

[54] Not. in loc. cit. (ibid. n. 43.) Amplectitur Ignatiaster opinionem Clementis Alexandrini, Στρωματέων 3. p. 448, et aliorum quorumdam, ortam ex pravo intellectu Paulinorum textuum, Philipp. 4, 3. et 1 Corinth. 9, 5. quam refert etiam nec refellit Eusebius, Hist. l. 3. c. 30; ut modeste fit a Nicephoro, c. 44. l. 2: quæque per Origenem, initio explanationum in Epistolam ad Romanos, simpliciter cum opposita sententia proponitur.

[55] Ep. ad Philipp. n. 11. (Cotel. ibid. p. 189.) Valde.. contristor pro illo [Valente] et pro conjuge ejus.

[56] L. 6. c. 42. (v. 1. p. 308. 18.) Χαιρήμων ἦν ὑπεργήρως τῆς Νείλου καλουμένης ἐπίσκοπος πόλεως. Οὗτος εἰς τὸ Ἀράβιον ὄρος ἅμα τῇ συμβίῳ φυγὼν οὐκ ἐπανελήλυθεν.

[57] Ep. 49. [al. 52.] ad Cornel. (p. 238.) Uterus uxoris [Novati] calce percussus, et abortione properante in parricidium partus expressus. Et damnare nunc audit sacrificantium manus; cum sit ipsa nocentior pedibus, quibus filius, qui nascebatur, occisus est.

Cyprian himself was also a married man, as Mr. Pagi[58] confesses; and so was Cæcilius[59], the presbyter, that converted him. As also Numidicus, another presbyter of Carthage, of whom Cyprian[60] tells us this remarkable story: 'that in the Decian persecution he saw his own wife, with many other martyrs, burnt by his side; whilst he himself, lying half burnt, and covered with stones, and left for dead, was found expiring by his own daughter, who drew him out of the rubbish, and brought him to life again.' Eusebius[61] assures us that Phileas, bishop of Thmuis, and Philoromus had, each of them, both a wife and children; for they were urged with that argument by the heathen magistrate to deny their religion in the Diocletian persecution; but they generously contemned his argument, and gave preference to the laws of Christ. Epiphanius[62] says Marcion the heretic was the son of a bishop, and that he was excommunicated by his own father for his lewdness. Domnus also, bishop of Antioch[63], is said to be son to Demetrian, who

[58] Crit. in Baron. an. 248. n. 4. [al. 5.] (t. 1. p. 231.) Baronius .... *male* deduxit Cyprianum uxorem habuisse. [The learned author has evidently mistaken Pagi, who contradicts the statement of Baronius in proof that St. Cyprian was a married man. Ed.]

[59] Vid. Pont. Vit. Cypr. (p. 3.) Erat sane illi etiam de nobis contubernium viri justi et laudabilis memoriæ Cæcilii, et ætate tunc et honore presbyteri, qui eum ad agnitionem veram divinitatis a sæculari errore correxerat. Hunc toto honore atque omni observantia diligebat, obsequenti veneratione suspiciens, non jam ut amicum animæ coæqualem, sed tamquam novæ vitæ parentem. Denique, ille demulsus ejus obsequiis, in tantum dilectionis immensæ merito provocatus est; ut, de sæculo excedens, arcessitione jam proxima commendaret illi conjugem ac liberos suos, et quem fecerat de sectæ communione participem, postmodum faceret pietatis heredem.

[60] Ep. 35. [al. 40.] (p. 225.).. Quique [Numidicus presbyter] uxorem adhærentem lateri suo, concrematam simul cum cæteris, *vel conservatam* magis dixerim, lætus aspexit, &c.

[61] L. 8. c. 9. (v. 1. p. 386. 43.) Οἷος Φιλόρωμος ἦν, ... Φιλέας τε τῆς Θμυϊτῶν ἐκκλησίας ἐπίσκοπος ... οἳ καὶ μυρίων ὅσων πρὸς αἵματός τε καὶ τῶν ἄλλων φίλων ἀντιβολούντων, ἔτι μὴν τῶν ἐπ' ἀξίας ἀρχόντων, πρὸς δὲ καὶ αὐτοῦ τοῦ δικαστοῦ παρακαλοῦντος, ὡς ἂν αὐτῶν οἴκτον λάβοιεν φειδώ τε παίδων καὶ γυναικῶν ποιήσοιτο· οὐδαμῶς πρὸς τῶν τοσούτων ἐπὶ τὸ φιλοζωῆσαι μὲν ἑλέσθαι, καταφρονῆσαι δὲ τῶν περὶ ὁμολογίας καὶ ἀρνήσεως τοῦ Σωτῆρος ἡμῶν θεσμῶν ὑπήχθησαν, κ. τ. λ.

[62] Hær. 42. Marcion. n. 1. (t. 1. p. 302 c.) Χρόνου δὲ προϊόντος προσφθείρεται παρθένῳ τινί, καὶ ἐξαπατήσας τὴν παρθένον ἀπὸ τῆς ἐλπίδος αὐτήν τε καὶ ἑαυτὸν κατέσπασε, καὶ τὴν φθορὰν ἀπεργασάμενος, ἐξεοῦται τῆς ἐκκλησίας ὑπὸ τοῦ ἰδίου πατρός· ἦν γὰρ αὐτοῦ ὁ πατὴρ δι' ὑπερβολὴν εὐλαβείας τῶν διαφανῶν, καὶ σφόδρα τῆς ἀληθείας ἐπιμελομένων, διαπρέπων ἐν τῇ τῆς ἐπισκοπῆς λειτουργίᾳ.

[63] Ap. Euseb. l. 7. c. 30. (v. 1. p. 363. 21.) Ἠναγκάσθημεν οὖν ἀντιτασσόμενον αὐτὸν τῷ Θεῷ καὶ μὴ εἴκοντα ἐκκηρύξαντες, ἕτερον ἀντ' αὐτοῦ τῇ καθολικῇ ἐκκλησίᾳ καταστῆσαι ἐπίσκοπον Θεοῦ προνοίᾳ, ὡς πεπαι-

was bishop of the same place before him. It were easy to add abundance of more such instances; but these are sufficient to shew that men of all states were admitted to be bishops and presbyters in the primitive ages of the Church.

The vanity of the contrary pretences.

6. The most learned advocates of the Roman Communion have never found any other reply to all this, save only a groundless pretence of their own imagination, that all married persons, when they came to be ordained, promised to live separate from their wives by consent, which answered the vow of celibacy in other persons. This is all that Pagi[64] or Schelstrate[65] have to say in the case, after all the writers that have gone before them; which is said not only without proof, but against the clearest evidences of ancient history, which manifestly prove the contrary. For Novatus, presbyter of Carthage, whose case Pagi had under consideration, was certainly allowed to cohabit with his wife after ordination; as appears from the charge that Cyprian[66] brings against him, that he had struck and abused his wife, and thereby caused her to miscarry; for which crime he had certainly been thrust out, not only from the presbytery, but the Church also, had not the persecution coming on so suddenly prevented his trial and condemnation.' Cyprian does not accuse him for cohabiting with his wife, or begetting children after ordination, but for murdering his children which he had begotten; which was indeed a crime that made him liable both to deposition and excommunication; but the other was no crime at all, by any law then in force in the African or in the Universal Church. There seems indeed in some places to have been a little tendency towards introducing such a law by one or two

σμεθα, τὸν τοῦ μακαρίου Δημητριανοῦ καὶ ἐπιφανῶς προστάντος πρὸ τούτου τῆς αὐτῆς παροικίας υἱὸν Δόμνον, ἅπασι τοῖς πρέπουσιν ἐπισκόπῳ καλοῖς κεκοσμημένον.

[64] Crit. in Baron. an. 248. n. 4. [al. 6.] (t. 1. p. 232.)...Annotarunt hæc similiave exempla aliud non probare, quam ex matrimonio junctis ad sacerdotium fuisse promotos, quos postea matrimonio usos ostendere debuisset Pearsonius, ut ejus argumentum vim haberet.

[65] Eccles. Afric. dissert. 3. c. 4. ap. Pagi, ibid. (Schelstr. p. 157. ad fin. Schol. 5.) Hos omnes nihil aliud voluisse, quam ex matrimonio junctis ad sacerdotium fuisse promotos, recte adnotat Pamelius, addens, nullibi scriptum reperiri, hos postea matrimonio usos: quod omnis antiquitas semper tradiderat, continentiæ legem sacris illis ordinibus esse adnexam, unde et canon, *Pudicitiæ custodes etiam ab uxoribus se abstineant.*

[66] Ep. 49. [al. 52.] p. 97. See s. 5. n. 57, preceding.

zealous spirits; but the motion was no sooner made, than it was quashed immediately by the prudence and authority of wiser men. Thus Eusebius observes, 'that Pinytus, bishop of Gnossus in Crete, was for laying the law of celibacy upon his brethren; but Dionysius[67], bishop of Corinth, wrote to him, that he should consider the weakness of men, and not impose that heavy burden upon them.' And thus matters continued for three centuries without any law, that we read of, requiring celibacy of the clergy at the time of their ordination.

The clergy left to their liberty by the Nicene Council.

7. In the Council of Nice, anno 325, the motion was again renewed, that a law might pass to oblige the clergy to abstain from all conjugal society with their wives, which they had married before their ordination. But the proposal was no sooner made than Paphnutius, a famous Ægyptian bishop, and one himself never married, vigorously declaimed against it, saying, 'so heavy a burden was not to be laid upon the clergy; that the marriage-bed was honourable, and that they should not by too great severity bring detriment on the Church: for all men could not bear so severe an exercise, and the chastity of the wives so separated would be endangered also.—Conjugal society,' he said, 'was chastity, and it was enough that such of the clergy as were not married before their ordination should continue unmarried, according to the ancient tradition of the Church; but it was not proper to separate any one from his wife which he had married whilst he was a layman.' This said, the whole council agreed to stifle the motion that had been made, and left every man to his liberty as before. So Socrates[68] and Sozomen[69] tell the story; to which all that Valesius[70], after Bellarmin, has to say is, 'that he suspects the truth of the thing, and desires leave to dissent from his historians.' Which is but a poor evasion, in the judgment of Du Pin himself[71], who thus reflects upon them for it. 'Some question the truth of this story,' says

[67] Ep. ad Pinytum, ap. Euseb. l. 4. c. 23. (v. 1. p. 186. 11.) ... Ἐν ᾗ Πίνυτον τῆς παροικίας ἐπίσκοπον παρακαλεῖ, μὴ βαρὺ φορτίον τὸ πέρι ἁγνείας ἐπαναγκὲς τοῖς ἀδελφοῖς ἐπιτιθέναι, τῆς δὲ τῶν πολλῶν κατασταχάζεσθαι ἀσθενείας.

[68] L. 1. c. 11. (v. 2. p. 38.)

[69] L. 1. c. 23. (ibid. p. 41.)

[70] Not. in Socrat. loc. cit. (ibid. p. 39. n. 1.).... Tota hæc narratio de Paphnutio et de cœlibatu clericorum prorsus suspecta mihi videtur.

[71] Bibliothèque t. 2. p. 253. (t. 2. p. 318.) Quelques-uns doutent de

he, 'but I believe they do it for fear the story might prejudice the present discipline, rather than from any solid proof they have for it. But they should consider that this canon is purely a matter of discipline, and that the discipline of the Church may change according to the times, and that it is not necessary for the defence of it to prove that it was always uniform in all places.' So that in the judgment of that learned Romanist, there is no question to be made but that the Council of Nice decreed in favour of the married clergy, as the historians relate it did; and that then the practice was different from that of the present Church of Rome, which others are so unwilling to have the world believe.

ıd other ıuncils of ıt age.

8. It is as evident from other Councils of the same age that the married clergy were allowed to continue in the service of the Church, and no vow of abstinence required of them at their ordination. Socrates[72] observes, that the Council of Gangra anathematized Eustathius the heretic, because he taught men to separate from such presbyters as retained their wives which they married while they were laymen, saying, their communion and oblations were abominable. The decree is still extant among the canons of that Council[73], and runs in these words: 'If any one separate from a married presbyter, as if it were unlawful to participate of the eucharist, when such an one ministers, let him be *anathema*.' The Council of Ancyra gives leave[74] to deacons to marry after ordination: 'If they protested at their ordination that they could not continue in an unmarried state they might marry, and yet continue in their office, having in that case the bishop's licence and permission to do it.' And though the Council of Neo-Cæsarea in one

la vérité de cette histoire. Je crois qu'ils le font plutôt dans la crainte qu'ils ont que ce fait ne donne quelque atteinte à la discipline d'à présent, que parce qu'ils en aient quelque preuve solide. Mais ces personnes devroient considérer que ce règlement est purement de discipline, et que la discipline de l'Eglise peut changer suivant les temps, &c.

[72] L. 2. c. 43. (v. 2. p. 149. 10.) .... Πρεσβυτέρου γυναῖκα ἔχοντος, ἣν νόμῳ λαϊκὸς ὢν ἠγάγετο, τὴν εὐλογίαν καὶ τὴν κοινωνίαν ὡς μῦσος ἐκκλίνειν ἐκέλευε.

[73] C. Gangr. c. 4. (t. 2. p. 419 a.) Εἴ τις διακρίνοιτο παρὰ πρεσβυτέρου γεγαμηκότος, ὡς μὴ χρῆναι λειτουργήσαντος αὐτοῦ προσφορᾶς μεταλαμβάνειν, ἀνάθεμα ἔστω.

[74] C. 10. (t. 1. p. 1460 d.) Διάκονοι, ὅσοι καθίστανται, παρ' αὐτὴν τὴν κατάστασιν εἰ ἐμαρτύραντο καὶ ἔφασαν χρῆναι γαμῆσαι, μὴ δυνάμενοι οὕτως μένειν, οὗτοι μετὰ ταῦτα γαμήσαντες ἕστωσαν ἐν τῇ ὑπηρεσίᾳ, διὰ τὸ ἐπιτραπῆναι αὐτοὺς ὑπὸ τοῦ ἐπισκόπου.

canon[75] forbids unmarried presbyters to marry after ordination, yet such as were married before ordination are allowed by another canon[76] to continue without any censure, being only obliged to separate from their wives in case of fornication. The Council of Eliberis[77], indeed, and some others in this age, began to be a little more rigorous toward the married clergy; but it does not appear that their laws were of any great force. For Socrates[78] says 'even in his time, in the Eastern Churches, many eminent bishops begat children of their lawful wives; and such as abstained did it not by obligation of any law, but their own voluntary choice. Only in Thessaly, Macedonia, and Hellas, the clergy were obliged to abstain under pain of ecclesiastical censure;' which, he says, was occasioned 'by bishop Heliodore's writing his book called his Ethiopics.' So that as yet there was no universal decree against married bishops in the Greek Church, much less against presbyters and deacons. But the Council of Trullo, anno 692, made a difference between bishops and presbyters, allowing presbyters, deacons, and all the inferior orders to cohabit with their wives after ordination[79], and giving the Roman Church a smart rebuke for the

[75] C. 1. (ibid. 1480 e.) *Πρεσβύτερος ἐὰν γήμῃ, τῆς τάξεως αὐτὸν μετατίθεσθαι.*

[76] C. 8. (ibid. p. 1481 d.) *Γυνή τινος μοιχευθεῖσα λαϊκοῦ ὄντος, ἐὰν ἐλεγχθῇ φανερῶς, ὁ τοιοῦτος εἰς ὑπηρεσίαν ἐλθεῖν οὐ δύναται· ἐὰν δὲ καὶ μετὰ τὴν χειροτονίαν μοιχευθῇ, ὀφείλει ἀπολῦσαι αὐτήν· ἐὰν δὲ συζῇ, οὐ δύναται ἔχεσθαι τῆς ἐγχειρισθείσης αὐτῷ ὑπηρεσίας.*

[77] C. 33. (ibid. 974 c.) Placuit in totum prohiberi episcopis, presbyteris, et diaconibus, vel omnibus clericis positis in ministerio, abstinere se a conjugibus suis, et non generare filios: quicumque vero fecerit, ab honore clericatus exterminetur.—Conf. C. Arelat. 2. c. 2. (t. 4. p. 1011 d.) Assumi aliquem ad sacerdotium non posse in conjugii vinculo constitutum, nisi fuerit præmissa [al. promissa] conversio.

[78] L. 5. c. 22. (v. 2. p. 296. 12.) *Ἔγνων ἐγὼ καὶ ἕτερον ἔθος ἐν Θεσσαλίᾳ. Γενόμενος κληρικὸς ἐκεῖ, ἣν νόμῳ γαμήσας πρὶν κληρικὸς γένηται, μετὰ τὸ κληρικὸς γενέσθαι συγκαθευδήσας αὐτῇ, ἀποκήρυκτος γίνεται· τῶν ἐν Ἀνατολῇ πάντων γνώμῃ ἀπεχομένων, καὶ τῶν ἐπισκόπων, εἰ καὶ βούλοιντο, οὐ μὴν ἀνάγκῃ νόμου τοῦτο ποιούντων· πολλοὶ γὰρ αὐτῶν ἐν τῷ καιρῷ τῆς ἐπισκοπῆς, καὶ παῖδας ἐκ τῆς νομίμης γαμετῆς πεποιήκασιν· ἀλλὰ τοῦ μὲν ἐν Θεσσαλίᾳ ἔθους ἀρχηγὸς Ἡλιώδορος, Τρίκκης τῆς ἐκεῖ γενόμενος· οὗ λέγεται πονήματα ἐρωτικὰ βιβλία, ἃ νέος ὢν ἔταξε, καὶ Αἰθιοπικὰ προσηγόρευσε· φυλάσσεται δὲ τοῦτο τὸ ἔθος ἐν Θεσσαλονίκῃ, καὶ αὐτῇ Μακεδονίᾳ, καὶ Ἑλλάδι.*

[79] Vid. C. Trull. c. 13. (t. 6. p. 1147 b.) *Ἐπειδὴ ἐν τῇ Ῥωμαίων ἐκκλησίᾳ ἐν τάξει κανόνος παραδέδοσθαι διέγνωμεν, τοὺς μέλλοντας διακόνου ἢ πρεσβυτέρου ἀξιοῦσθαι χειροτονίας καθομολογεῖν, ὡς οὐκέτι ταῖς αὐτῶν συνάπτονται γαμεταῖς· ἡμεῖς τῷ ἀρχαίῳ ἐξακολουθοῦντες κανόνι τῆς ἀποστολικῆς ἀκριβείας καὶ τάξεως, τὰ τῶν ἱερῶν ἀνδρῶν κατὰ νόμους συνοικέσια καὶ ἀπὸ τοῦ νῦν ἐρρῶσθαι βουλόμεθα· μηδαμῶς αὐτῶν*

contrary prohibition; but yet laying an injunction upon bishops[80] to live separate from their wives, and appointing the wives[81] to betake themselves to a monastic life, or become deaconesses in the Church. And so the matter was altered in the Greek Church as to bishops, but not any others. In the Latin Church also the alteration was made but by slow steps in many places; for in Afric even bishops themselves cohabited with their wives at the time of the Council of Trullo, as appears from one[82] of the forementioned canons of that Council. But it is beyond my design to carry this inquiry any further; what has been already said being sufficient to shew that the married clergy were allowed to officiate in the first and primitive ages, and that celibacy in those times was no necessary condition of their ordination, as is falsely pretended by the polemical writers of the present Church of Rome.

I have now gone through the several qualifications of the ancient clergy, concerning which inquiry was made before their ordination; I come now, in the next place, to consider the solemnity of the thing itself, together with the laws and customs which were generally observed at the time of ordination.

CHAP. VI.

Of the ordinations of the primitive clergy, and the laws and customs generally observed therein.

The canons of the Church to be read to the clerk before the bishops ordained him.

1. WHEN the election of a person, duly qualified according to the forementioned rules was made, then it was the bishop's office, or the metropolitan's, if the party elect was himself a bishop, to ordain him. But before they proceeded to ordination, there were some other laws and rules to be observed.

τὴν πρὸς γαμετὰς συνάφειαν διαλύοντες, ἢ ἀποστεροῦντες αὐτοὺς τῆς πρὸς ἀλλήλους κατὰ καιρὸν τὸν προσήκοντα ὁμιλίας, κ. τ. λ.

[80] Ibid. c. 12. (a.) *Καὶ τοῦτο δὲ εἰς γνῶσιν ἡμετέραν ἦλθεν, ὡς ἔν τε Ἀφρικῇ καὶ Λιβύῃ καὶ ἑτέροις τόποις, οἱ τῶν ἐκεῖσε θεοφιλέστατοι πρόεδροι συνοικεῖν ταῖς ἰδίαις γαμεταῖς, καὶ μετὰ τὴν ἐπ' αὐτοῖς προελθοῦσαν χειροτονίαν οὐ παραιτοῦνται . . . . ἔδοξεν ὥστε μηδαμῶς τὸ τοιοῦτον ἀπὸ τοῦ νῦν γίνεσθαι, κ. τ. λ.*

[81] Ibid. c. 48. (p. 1166 c.) *Η τοῦ πρὸς ἐπισκοπῆς προεδρίαν ἀναγομένου γυνὴ κατὰ κοινὴν συμφωνίαν τοῦ οἰκείου ἀνδρὸς προδιαζευχθεῖσα, μετὰ τὴν ἐπ' αὐτῷ τῆς ἐπισκοπῆς χειροτονίαν ἐν μοναστηρίῳ εἰσίτω, πόρρω τῆς τοῦ ἐπισκόπου καταγωγῆς ᾠκοδομημένῳ, καὶ τῆς τοῦ ἐπισκόπου προνοίας ἀπολανέτω· εἰ δὲ καὶ ἀξία φανείη, καὶ πρὸς τὸ τῆς διακονίας ἀναβιβασθήσεται ἀξίωμα.*

[82] Ibid. c. 12. See n. 80, preceding.

For, not to mention here again the oath against simony, and the subscriptions, which I have shewed before[83] were anciently required of persons to be ordained, I must not forget to note, that in the African Church a rule was made in the third Council of Carthage[84], and thence transferred into the African Code[85], 'that before any bishop or other clergyman was ordained, the ordainers should cause the canons of the Church to be read in his hearing, that they might not have cause to repent afterward that they had transgressed any of them.' This rule was made at the instance and request of St. Austin, as Possidius[86] notes in his Life, who says, 'that because he was ordained bishop of Hippo while Valerius was alive, which was contrary to the rule of the Council of Nice, which he was ignorant of at the time of his ordination, he therefore prevailed with the African fathers to make a decree that the canons of the Church should be read at every man's ordination.' This rule implied a tacit promise that the party ordained would observe the canons that were read to him; but for greater security it was afterward improved into an explicit promise by a law of Justinian[87], which requires every clerk, after the reading of the canons, to profess that, as far as it was possible for man to do, he would fulfil what was con-

[83] Ch. 3. s. 2. p. 35. and s. 14. p. 52.

[84] C. 3. (t. 2. p. 1167 d.) Placuit, ut, ordinandis episcopis vel clericis, prius ab ordinatoribus suis decreta conciliorum auribus eorum inculcentur; ne se aliquid contra statuta concilii fecisse pœniteat. [*Labbe, asserant.*]

[85] C. 18. (ibid. 1058 d.) *Ἤρεσεν, ὥστε χειροτονουμένου ἐπισκόπου ἢ κληρικοῦ, πρότερον ἀπὸ τῶν χειροτονούντων αὐτοὺς τὰ δεδογμένα ταῖς συνόδοις εἰς τὰς ἀκοὰς αὐτῶν ἐντίθεσθαι· ἵνα μὴ ποιοῦντες κατὰ τῶν ὅρων συνόδου μεταμεληθῶσιν.*

[86] Vit. August. c. 8. (t. 10. append. p. 262 f.) Quod in seipso [al. se postea] fieri non debuisse, ut vivo suo episcopo ordinaretur, [postea] et dixit et scripsit, propter concilii universalis vetitum, quod jam ordinatus didicit: nec quod sibi factum esse doluit, aliis *fieri voluit. Unde* etiam sategit, ut conciliis constitueretur episcoporum, ab ordinatoribus deberi ordinandis, vel ordinatis, omnium statuta sacerdotum in notitiam esse deferenda.

[87] Novel. 6. c. 1. n. 8. (t. 5. p. 52.) Sed etiam sic eum constitutum, et ad episcopatum præparatum, competens est venerabiles et undique probatas legere regulas ante ordinationem, quas recta et inviolata nostra suscipit fides, et catholica Dei apostolicaque disposuit, et tradidit ecclesia ..... Et si quidem ille declaraverit, et dixerit præcepta sacrarum regularum non se valere servare; nullo modo ei ordinationem imponi. Si vero susceperit, et dixerit, quia quantum homini est possibile, complebit hæc, qua his continentur, tunc monere eum, et dicere, quia, nisi hæc observaverit, et a Deo alienus erit, et cadet a jam dato honore; &c.

tained in them. Whence no doubt came those later forms of professing obedience to the canons of the seven general Councils in the Greek Church; and the oath to St. Peter, taken by the bishops of Rome in the Latin Church, that they would observe the decrees of the eight general Councils. The first of which forms may be seen at length in Habertus[88], and the other in Baronius[89], and the book called *Liber Diurnus*[90], by the reader that is curious to consult them.

o clerk to e ordained τελελυ-ίνως.

2. Another rule to be observed in this case was, 'that every man should be fixed to some church at his ordination, and not be left at liberty to minister wherever he would, because of several inconveniences that attended that practice.' This rule concerned bishops, as well as the inferior clergy; for the *nullatenenses* of later ages, as Panormitan calls titular and utopian bishops, were rarely known in the primitive Church. For though every bishop was in some sense ordained bishop of the Catholic Church, as I have shewed before[91], yet, for order's sake, he was always confined to a certain district in the ordinary exercise of his power. And so presbyters and all other inferior clergy were confined to the diocese of their own bishop, and might not be ordained unless they had some place wherein to exercise their function. This was the ancient custom of the Church, which the Council of Chalcedon confirmed by a canon[92], 'that no presbyter, or deacon, or any other eccle-

[88] Archierat. Profess. Fid. (p. 496.) Πρὸς τούτοις ἀποδέχομαι τὰς ἁγίας καὶ οἰκουμενικὰς ἑπτὰ συνόδους, αἵ τινες ἐπὶ φυλακῇ τῶν σεπτῶν δογμάτων συνηθροίσθησαν, καθομολογῶν τοὺς ὑπ' αὐτῶν διωρισμένους στέργειν καὶ φυλάττειν κανόνας· καὶ τὰς ἁγίας διατάξεις, ὅσαι τοῖς ἱεροῖς ἡμῶν πατράσι κατὰ διαφόρους καιροὺς καὶ χρόνους ἐτυπώθησαν, πάντας οὓς ἀποδέχονται, συναποδεχόμενος, καὶ οὓς ἀποστρέφονται συναποστρεφόμενος, κ. τ. λ.

[89] An. 869. (t. 10. p. 421 e.) Ego N, sanctæ Romanæ ecclesiæ diaconus, vel presbyter, aut episcopus cardinalis electus, ut fiam per Dei gratiam hujus sanctæ apostolicæ sedis humilis minister, profiteor tibi, beate Petre, apostolorum princeps, &c.... De ceteris ecclesiæ dogmatibus sicut in universalibus Conciliis et Constitutionibus apostolicorum pontificum, probatissimorumque ecclesiæ doctorum scriptis sunt commendata, id est, quæ ad rectitudinem nostræ vestræque orthodoxæ fidei a te traditionem recipiunt, conservare, sanctaque octo universalia Concilia, id est Nicænum, Constantinopolitanum, et Ephesinum primum, Chalcedonense Quintum quoque, et Sextum item Constantinopolitanum, et Septimum item Nicænum, Octavum quoque Constantinopolitanum, usque ad unum apicem immutilate servare, et pari honore ac veneratione digna habere, &c.

[90] Garnerii Liber Diurnus Romanorum Pontificum, Paris. 1680. 4to. [Ap. Biblioth. Bodleian. Ed.]

[91] B. 2. c. 5. v. 1. p. 94.

[92] C. 6. (t. 4. p. 758 d.) Μηδένα δὲ

siastic should be ordained at large; but be assigned either to the city-church, or some church or oratory in the country, or a monastery; otherwise his ordination to be null and void.' This the Latins called *ordinatio localis*, and the persons so ordained, *locales*, from their being fixed to *a certain place*. As in the Council of Valentia in Spain we find a canon[93] that obliges every priest, before his ordination, to give a promise 'that he will be *localis*, to the intent that no one should be permitted to transgress the rules and discipline of the Church with impunity;' which they might easily do, if they were allowed to rove about from one place to another. This, in the style of Leo[94], bishop of Rome, is 'ordination founded upon a place,' or, as we would say now, *a title*; 'without which,' he says, 'the ordination was not to be looked upon as authentic.' But it must be observed, that a title then did not always signify a parochial church, or distinct cure; for this was a rule before dioceses were divided into parishes: but the confinement laid upon men at their ordination was, that they should be fixed to their own bishop's diocese, and officiate in the place where he appointed them.

3. There were indeed *some few exceptions to this rule*, but very rare, and upon extraordinary occasions. Paulinus and St. Jerom seem to have had the privilege granted them of being ordained without affixing to any church. Paulinus[95] says expressly of himself, 'that he was ordained presbyter at Barcelona with this condition, that he should not be confined to that church, but remain a priest at large.' And St. Jerom gives[96] the same account of his own ordination at Antioch,

Exceptions to this rule very rare.

ἀπολελυμένως χειροτονεῖσθαι . . . . . εἰ μὴ ἰδικῶς ἐν ἐκκλησίᾳ πόλεως, ἢ κώμης, ἢ μαρτυρίῳ, ἢ μοναστηρίῳ ὁ χειροτονούμενος ἐπικηρύττοιτο. Τοὺς δὲ ἀπολύτως χειροτονουμένους ὥρισεν ἡ ἁγία σύνοδος ἄκυρον ἔχειν τὴν τοιαύτην χειροθεσίαν, καὶ μηδαμοῦ δύνασθαι ἐνεργεῖν ἐφ' ὕβρει τοῦ χειροτονήσαντος.

[93] C. 6. (ibid. p. 1620 a.) Nec ullum [al. illum sanctorum] sacerdotem quispiam ordinet, qui localem se futurum primitus non sposponderit: ut per hoc nullus a regula vel disciplina ecclesiæ deviare permittatur impune.

[94] Ep. 92. ad Rustic. c. 1. (CC. t. 3. p. 1405 e.) . . . Vana est habenda ordinatio, quæ nec loco fundata est, nec auctoritate munita.

[95] Ep. 6. ad Sever. (p. 101.) Nam ea conditione in Barcinonensi ecclesia consecrari adductus sum, ut ipsi ecclesiæ non alligarer; in sacerdotium tantum Domini, non in locum Ecclesiæ dedicatus.

[96] Ep. 61. ad Pammach. [al. Lib. cont. Joan. Hierosol.] t. 2. p. 181. (t. 2. p. 452 a.) Si sic presbyterium tribuis, ut monachum nobis non au-

'that he was consecrated presbyter, with licence to continue a monk, and return to his monastery again.' Sozomen[97] relates the like of Barses and Eulogius, two monks of Edessa, 'that they were both ordained bishops, not of any city, but only honorary bishops within their own monasteries, out of respect to their eminent virtues.' And it was such a sort of ordination that, Theodoret says[98], Flavian, bishop of Antioch, gave to Macedonius, the famous Syrian anchoret, whom he drew from his cell in the desert only to ordain him presbyter, and so let him return to the desert again. These are all the instances of this kind which I remember in ancient history. It was not as yet the custom to ordain bishops *partibus infidelium*, that never meant to see their bishoprics. Though afterages despised this rule, as Zonaras[99] complains of the Greek Church, and Habertus[1] cannot but lament it in the Latin; yet the an-

feras: tu videris de judicio tuo. Sin autem sub nomine presbyteri tollis mihi, propter quod sæculum dereliqui; ego habeo, quod semper habui.

[97] L. 6. c. 34. (v. 2. p. 268. 21.)... Βάρσης τε καὶ Εὐλόγιος, οἱ καὶ ἐπίσκοποι ἄμφω ὕστερον ἐγενέσθην, οὐ πόλεως τινὸς, ἀλλὰ τιμῆς ἕνεκεν, ἀνταμοιβῆς ὥσπερ τῶν αὐτοῖς πεπολιτευμένων, χειροτονηθέντες ἐν τοῖς ἰδίοις μοναστηρίοις.

[98] Hist. Relig. c. 13. (v. 3. part. 2. p. 1207.) Ἐπειδὴ ὁ μέγας Φλαβιανὸς τὴν μεγάλην τοῦ Θεοῦ ποίμνην ποιμαίνειν ἐτάχθη, τὴν δὲ τοῦ ἀνδρὸς ἔμαθεν ἀρετὴν, (ἤδετο γὰρ, καὶ ἐν τοῖς ἁπάντων ἐφέρετο στόμασιν·) ἄγει μὲν αὐτὸν ἐκ τῆς τοῦ ὄρους κορυφῆς, ὡς γραφῆς κατ' αὐτοῦ γενομένης· τῆς δὲ μυστικῆς ἱερουργίας προκειμένης, προσάγει τῷ θυσιαστηρίῳ, καὶ τοῖς ἱερεῦσιν ἐγκαταλέγει. ὡς δὲ τέλος ἔλαβεν ἡ λειτουργία, καί τις αὐτῷ τοῦτο μεμήνυκε, (πάμπαν γὰρ ἠγνόει τὸ γεγονὸς,) τὰ μὲν πρῶτα ἐλοιδορεῖτο, καὶ λόγοις ἔβαλλεν ἅπαντας· ὕστερον δὲ τὴν βακτηρίαν λαβὼν, εἰώθει γὰρ σκηριπτόμενος διὰ τὸ γῆρας βαδίζειν, ἐδίωκεν αὐτόν τε τὸν ἀρχιερέα, καὶ τοὺς ἄλλους, ὅσοι παρῆσαν. ὑπελάμβανε γὰρ τὴν χειροτονίαν τῆς τοῦ ὄρους αὐτὸν κορυφῆς, καὶ τῆς ποθουμένης διαίτης ἀποστερήσειν. ἀλλὰ τότε μὲν αὐτὸν μόλις τινὲς τῶν συνήθων ἀγανακτοῦντα κατέπαυσαν. ἐπειδὴ δὲ ὁ τῆς ἑβδομάδος συνεπεράνθη κύκλος, καὶ ἦκε πάλιν τῆς δεσποτικῆς ἑορτῆς ἡ ἡμέρα, αὖθις αὐτὸν ὁ μέγας Φλαβιανὸς μετεπέμψατο, τῆς πανηγύρεως κοινωνῆσαι σφίσι παρακαλῶν· ὁ δὲ πρὸς τοὺς ἀφικομένους, οὐκ ἀπόχρη ὑμῖν, ἔφη, τὰ ἤδη γεγενημένα, ἀλλὰ πάλιν με βούλεσθε προβάλλεσθαι πρεσβύτερον; τῶν δὲ λεγόντων, ὡς οὐ δυνατὸν εἴη δὶς τὴν αὐτὴν ἐπιτεθεῖναι χειροτονίαν, οὐκ εἶχεν, οὐδὲ ἀφίκετο, ἕως αὐτὸν ὁ χρόνος καὶ οἱ συνήθεις τοῦτο πολλάκις ἐδίδαξαν.

[99] Not. in C. Chalced. c. 6. (ap. Bevereg. t. 1. p. 119 b.) Ὥσπερ νῦν ἕκαστον τῶν ἀρχιερέων τῆσδε τῆς πόλεως ἐπίσκοπον ὁ χειροτονῶν αὐτὸν προβληθῆναι λέγει, οὕτως τὸ παλαιὸν πᾶς χειροτονούμενος τῆσδε τῆς ἐκκλησίας ἱερεὺς, ἢ διάκονος, ἢ κληρικὸς ἁπλῶς ὠνομάζετο, εἰ καὶ νῦν τοῦτο πάντη καταπεφρόνηται.

[1] Archierat. in c. 6. C. Chalced. ad Rit. Ordinat. observ. 3. (p. 351.) Et hanc ecclesiæ legem ac disciplinam antiquam esse recte in eum canonem Zonaras animadvertit; *εἰ καὶ νῦν τοῦτο πάντη καταπεφρόνηται*, quamvis, inquit, ea nunc plane in contemtum abierit, quod nobis peræque legendum est.

cient Church was more punctual in observing the laws, scarce ever ordaining either bishop or inferior clerk without fixing them to a certain diocese, from which, without the consent of their superiors, they were not to remove to any other.

No bishop to ordain another man's clerk without his consent.

4. And from hence arose *a third rule* about ordinations, that no bishop should ordain, or admit into his Church any clerk belonging to another Church, without the consent of the bishop to whom he formerly belonged. The Councils[2] are very peremptory in this decree; particularly the great Council of Nice[3], and that of Sardica[4], and the second of Arles[5], declare all such ordinations null and void. The first Council of Carthage[6] extends the prohibition even to laymen belonging to another diocese: for it decrees, 'that as no clerk shall be received by another bishop without the letters dimissory of his own bishop; so neither shall any bishop take a layman out of another people, and ordain him, without the consent of that bishop out of whose people he is taken.' The reason of which laws was, that every bishop was supposed to have a peculiar right in all the clergy and people of his own diocese; and it was very conducive to the peace and good order of the Church to have such rules maintained and observed. Only in the African Church the bishop of Carthage was allowed a privilege in this case, as he was exarch or primate of all the African provinces: for, by ancient custom, confirmed by a canon in the third Council of

[2] Carthag. 3. c. 21. (t. 2. p. 1170 c.) Ut clericum alienum, nisi concedente ejus episcopo, nemo audeat vel retinere vel promovere in ecclesia sibi credita.—Chalced. c. 20. (t. 4. p. 766 b.) Κληρικοὺς εἰς ἐκκλησίαν τελοῦντας, καθὼς ἤδη ὡρίσαμεν, μὴ ἐξεῖναι εἰς ἄλλης πόλεως τάττεσθαι ἐκκλησίαν, κ.τ.λ.—Arausic. 1. c. 8. (t. 3. p. 1449 a.) Si quis alibi consistentem clericum ordinandum putaverit, prius definiat, ut cum ipso habitet. Sic quoque non sine consultatione ejus episcopi, cum quo ante habitavit, eum, qui fortasse non sine causa diu ab alio ordinatus non est, ordinare præsumat.

[3] C. 16. (t. 2. p. 36 e.) Εἰ τολμήσειέ τις ὑφαρπάσαι τὸν ἐν τῷ ἑτέρῳ διαφέροντα, καὶ χειροτονῆσαι ἐν τῇ αὑτοῦ ἐκκλησίᾳ, μὴ συγκατατιθεμένου τοῦ ἰδίου ἐπισκόπου, οὗ ἀνεχώρησεν ὁ ἐν τῷ κανόνι ἐξεταζόμενος, ἄκυρος ἔστω ἡ χειροτονία.

[4] C. 15. (ibid. p. 640 d.) . . . Εἴ τις ἐπίσκοπος ἐξ ἑτέρας παροικίας βουληθῇ ἀλλότριον ὑπηρέτην, χωρὶς τῆς συγκαταθέσεως τοῦ ἰδίου ἐπισκόπου, εἴς τινα βαθμὸν καταστῆσαι, ἄκυρος καὶ ἀβέβαιος ἡ κατάστασις ἡ τοιαύτη νομίζοιτο.

[5] C. 13. (t. 4. p. 1012 e.) Si aliquis [al. Si aliquo commorationis tempore] invito episcopo suo, in aliena ecclesia habitans, ab episcopo loci clericus fuerit ordinatus, hujusmodi ordinatio irrita habeatur.

[6] C. 5. (t. 2. p. 1824 b.) Non licere [al. debere] clericum alienum ab aliquo suscipi sine literis episcopi sui, neque apud se retinere [al. detinere] nec laicum usurpare sibi de

Carthage[7], which is also inserted into the African Code, the bishop of Carthage is allowed 'to take a clerk out of another church, and ordain him for the service of any church under his jurisdiction;' but an exception in his particular case confirms the rule in all the rest.

No bishop to ordain in another man's diocese.

5. Another rule for the preservation of order in this affair was, that every bishop should confine himself to his own church, and not assume to himself the power of ordaining in the diocese of another man. So the Council of Antioch[8], and those called the Apostolical Canons[9] determined, 'that a bishop should not presume to ordain out of his own bounds, in cities or countries not subject to him.' St. Austin had occasion to insist upon this rule in the case of Pinianus, when the people of Hippo required him to ordain him presbyter against his will, and threatened, that, if he would not, they would have another bishop to ordain him. St. Austin told them[10], 'that no bishop could ordain him in his church without first asking his leave and permission; and that having given him a promise, that he would not ordain him against his will, he could not in honour consent that any other bishop should come and ordain him.' Socrates[11] says, Epiphanius took upon him to ordain a deacon

plebe aliena, ut eum ordinet sine conscientia ejus episcopi, de cujus plebe est.

[7] C. 45. (ibid. p. 1176 a.) ... Fuit semper hæc licentia huic sedi, unde vellet, et de cujus nomine fuisset conventus, pro desiderio cujusque ecclesiæ ordinare episcopum.—Conf. Cod. Eccles. Afric. c. 55. (ibid. p. 1078 e.) *Περὶ τοῦ ἐξεῖναι τῷ ἐπισκόπῳ Καρχηδόνος, ὅθεν θέλει, κλήρικον χειροτονεῖν.*—Vid. ibid. (p. 1079 b.) *Ἀεὶ ὑπῆρξεν ἡ αὐθεντία αὕτη τῷ θρόνῳ τούτῳ, ἵνα ὅθεν ἦλθε,* [al. *ἤθελε,*] *καὶ περὶ οἱουδήποτε προετράπη ὀνόματος κατὰ τὴν ἐπιθυμίαν ἑκάστης ἐκκλησίας ἐχειροτονήθη ἐπίσκοπον.*

[8] C. 22. (ibid. 572 b.) *Ἐπίσκοπον μὴ ἐπιβαίνειν ἀλλοτρίᾳ πόλει τῇ μὴ ὑποκειμένῃ αὐτῷ, μηδὲ χώρᾳ τῇ αὐτῷ μὴ διαφερούσῃ, ἐπὶ χειροτονίᾳ τινός· μηδὲ καθιστᾶν πρεσβυτέρους, ἢ διακόνους, εἰς τόπους ἑτέρῳ ἐπισκόπῳ ὑποκειμένους, εἰ μὴ ἄρα μετὰ γνώμης τοῦ οἰκείου τῆς χώρας ἐπισκόπου· εἰ δὲ τολμήσειέν τις τοιοῦτο, ἄκυρον εἶναι τὴν χειροτονίαν,* [al. *χειροθεσίαν*] *καὶ αὐτὸν ἐπιτιμίας ὑπὸ τῆς συνόδου τυγχάνειν.*

[9] C. 34. [al. 36.] (Cotel. [c. 28.] v. 1. p. 442.) *Ἐπίσκοπον μὴ τολμᾶν ἔξω τῶν ἑαυτοῦ ὅρων χειροτονίας ποιεῖσθαι εἰς τὰς μὴ ὑποκειμένας αὐτῷ πόλεις ἢ χώρας.*

[10] Ep. 225. [al. 226.] ad Albinam. (t. 2. p. 367 g.) Dicebam ego quibus poteram, qui ad nos in absidem honoratiores et graviores ascenderant, nec a promissi fide me posse dimoveri, nec ab alio episcopo in ecclesia mihi tradita, nisi me interrogato ac permittente, posse ordinari.

[11] L. 6. c. 12. (v. 2. p. 327. 19.) .... *Προσορμήσας τῷ ἐπὶ Ἰωάννην μαρτυρίῳ, ἀπέχει δὲ τοῦτο ἑπτὰ σημεῖα τῆς πόλεως, καὶ ἐξελθὼν τῆς νεὼς, σύναξίν τε ἐπιτελέσας, καὶ διάκονον χειροτονήσας, αὖθις εἰς τὴν πόλιν εἰσέρχεται.*—C. 14. (p. 330. 7.) *Παρὰ κανόνας πράττεις πολλὰ, ὦ Ἐπιφάνιε, πρῶτον μὲν χειροτονίαν ἐν ταῖς ὑπ' ἐμὲ ἐκκλησίαις ποιησάμενος, κ. τ. λ.*

in the diocese of Chrysostom at Constantinople; but Chrysostom told him, 'that he acted contrary to canon in ordaining in Churches that were not under his jurisdiction.' Which shews, that this was an universal law, prevailing both in the Eastern and Western Churches. And by the same rule all metropolitans with their provincial bishops were confined to their own province, and might not ordain any bishop in another province, except they were invited by the bishops of that province to come and give them their assistance. Which rule was made in the general Council of Constantinople[12], and confirmed in the Council of Ephesus[13], upon the controversy that arose between the Churches of Cyprus and the patriarch of Antioch, who laid claim to the power of ordinations in those Churches, but was rejected in his claim, because they were out of his district, and under another jurisdiction. But it is to be observed, that these rules were only made for ordinary cases, to preserve peace and a good understanding among the bishops of the Church, whilst every one acted in his proper sphere, and kept to those bounds and limits which the laws appointed. For otherwise, as I have shewed heretofore[14], every bishop was a bishop of the whole Catholic Church, and in that capacity authorized to ordain, or perform any other acts of the episcopal office in any part of the world, upon urgent necessity and extraordinary occasions. As Athanasius and Eusebius Samosatensis did in the times of the great prevalency of the Arian heresy; ordaining bishops and presbyters in any province or diocese, though contrary to the letter of this law, in order to preserve the Catholic faith, and a succession of orthodox men in the service of the Church. So that this was only a rule for common and ordinary cases. And in Cyprus, Epiphanius says[15], they did not insist upon the rule at all one

[12] C. 2. (t. 2. p. 947 b.) Ἀκλήτους ἐπισκόπους ὑπὲρ διοίκησιν μὴ ἐπιβαίνειν ἐπὶ χειροτονίαις, ἢ τισιν ἄλλαις οἰκονομίαις ἐκκλησιαστικαῖς.

[13] Act. 7. Decret. de Episc. Cypr. See before, b. 2. ch. 17. s. 9. v. 1. p. 204. n. 49.

[14] B. 2. ch. 5. v. 1. p. 94.

[15] Ep. ad Joan. Hierosol. (t. 2. p. 313 c.) O vere benedicta episcoporum Cypri mansuetudo et bonitas, et nostra rusticitas, sensu tuo et arbitratu digna misericordia Dei! Nam multi episcopi communionis nostræ et presbyteros in nostra ordinaverunt provincia, quos nos comprehendere non poteramus, et miserunt ad nos diaconos et hypodiaconos, quos suscepimus cum gratia. Et ipse cohortatus sum beatæ memoriæ Philonem episcopum, et sanctum Theoprobum, ut in ecclesiis

among another, but any bishop ordained in any other man's diocese, as occasion required, without breach of charity; for they gave a sort of general leave to one another, as finding it most expedient for the Church in that province to use such a liberty among themselves; though they stiffly maintained their privilege against the encroachments of all foreign sees, and more especially that of Antioch.

The original of the four solemn times of ordination.

6. The next things to be noted in this affair are such as concern *the time and place of ordination*. Concerning the time there may several inquiries be made. 1. Whether they had originally any set and constant times of ordination, as the Church now has four times a year?—2. Whether Sunday was always the day of ordination?—3. Whether ordinations were always confined to morning-service?

As to the first inquiry, it does not certainly appear that the Church had any constant annual times of ordination before the fourth century. For Habertus[16] truly observes, 'that then it was more usual to ordain men singly, as the present occasions of every Church required.' Pope Leo[17] indeed derives the *jejunia quatuor temporum, the fasts of the four seasons of the year*, which are now commonly called *Ember Weeks*, from apostolical tradition. But, as Mr. Pagi[18] and Quesnel[19] in their censures of that author observe, there is nothing more usual with him, than to call every thing an apostolical law, which he found either in the practice of his own Church, or decreed in the archives of his predecessors, Damasus and Siricius. So that all other

Cypri, quæ juxta se erant, ad meæ autem parochiæ videbantur ecclesiam pertinere, eo quod grandis esset, et late patens provincia, ordinarent presbyteros, et Christi ecclesiæ provideret.

[16] Archierat. part. 8. observ. 4. (p. 130.) Tunc singuli, et quidem rari, non vero tam multi ac hodie ordinabantur.

[17] Serm. 2. [al. 79. c. 1.] de Jejun. Pentecost. p. 77. (t. 1. p. 316.) —It. Serm. 9. [al. 94. c. 1.] de Jejun. Sept. Mensis. 8. de Jejun. Quat. Temp. p. 88. (ibid. p. 363.) — It. Serm. 7. [al. 92. c. 1.] p. 86. (ibid. p. 358.)

[18] Crit. in Baron. an. 67. n. 19. (t. 1. p. 57.) Per canones igitur, inquit Quesnellus, ... nihil aliud Leo intelligit, quam regulam ecclesiasticam solo usu et traditione ecclesiastica firmatam, quomodo sæpe sæpius usurpare videtur..... Familiare itaque est Leoni, ut cum de apostolica traditione sermonem habet, de ea loquatur, quam ab Apostolo Petro ecclesiæ Romanæ relictam putabat. Ea vero ex B. Petri traditione descendere existimavit, quæ et olim observata, et decretis sancita inveniebat eorum ecclesiæ suæ pontificum, quorum monumenta supererant illa ætate.

[19] Ap. Pagi. ibid. See preceding note.

authors before Leo being silent upon this matter, we can lay no great stress upon his authority for it. Beside, he does not so much as once intimate, that these fasts were appointed upon the account of any set and solemn times of ordinations, but upon other more general reasons. So that it is not certain that the Church had any fixed times of ordination when Leo wrote, anno 450; and in the ages before it is more evident she had not. For as to bishops, it is certain the Church never confined herself to any set times for the ordination of them; but as soon as any bishop was dead, another was chosen and ordained in his room with all convenient speed; and in some places this was done within a day or two after his decease, as has been shewed in a former book[20]. As to presbyters, and deacons, and others below them, it is evident also, that for the three first ages they were ordained at all times, as the occasions of the Church required. Cyprian ordained Aurelius a reader upon the first of December, as bishop Pearson[21] computes by the critical rules of calculation: and he ordained Saturus a reader, and Optatus a subdeacon, in the month of August[22]; neither of which were solemn times of ordination. Paulinus, who lived in the fourth century, was ordained on Christmas-day, as he himself[23] informs us: yet neither was that one of the four days which afterwards became the stated times of ordination. The Roman Pontifical, under the name of Damasus, in the Life of almost every bishop, takes notice of the ordinations, which they made in the Roman province, of bishops, presbyters, and deacons, during their whole lives; and always the ordinations are said to be made in the month of December; which, if that book were of any great authority, would prove, that there was one fixed time of ordination at

[20] B. 2. ch. 11. s. 2. v. 1. p. 133.

[21] Annal. Cyprian. an. 250. n. 20. p. 25. (p. 20.).... Mense Decembri ineunte, Cyprianus cum collegis suis, inconsulto clero suo, Aurelium confessorem ordinavit lectorem, et quidem, ut opinor, ipsis calendis Decembribus, &c.

[22] Ibid. n. 15. (p. 19.)... Scripsit epistolam 27, mense Augusto ineunte, ad clerum Romanum. Scripsit etiam eodem tempore ad Moysen et Maximum reliquosque confessores Romæ in carcere constitutos epistolam 28. .... Ut autem hæ literæ solemniter, juxta morem ecclesiæ, mitterentur; Cyprianus fecit lectorem Saturum et hypodiaconum Optatum confessorem, easque per eosdem misit; cujus rei statim clerum suum certiorem facit epistola 29.

[23] Ep. 6. ad Sever. (p. 100 ult. lin.) .... Die Domini, quo nasci carne dignatus est, repentina .... vi multitudinis .... presbyteratu initiatus sum.

Rome, but not four. But I confess, the credit of that book cannot much be depended upon for the history of the primitive ages one way or other, it being of much later date than the title pretends; and perhaps the author only spake of ancient things according to the custom of his own times, when one of these four times might be brought into use, which seems to have been before the time of Simplicius, anno 467. For the Pontifical, in his Life[24], adds February to December, as it does also in the Life of Gelasius. And in one of the Decrees of Gelasius[25] there are no less than five stated times of ordination appointed, viz. June, September, December, the beginning of Lent, and the middle of Lent, and Saturday in the evening, in all these times, to be the precise time of ordination. Amalarius Fortunatus[26] takes notice of the change that was made in the time of Simplicius; telling us, that all the bishops of Rome before Simplicius made their ordinations always in the month of December, and that he was the first that ordained in February. Which no doubt he had from the forementioned passages of the Pontifical, which in some places speaks of one, and in others of two solemn times of ordination, but never of four; which argues, that these four were not as yet determined when that book was written, which, with the interpolations that it has now, was not till after the time of Justinian, as learned men generally agree. So that I leave it to further inquiry, whether there were any such fixed times of ordination in the Church of Rome, as these authors mention, for four or five of the first centuries. In other Churches we read of none; but the instances that have been produced rather prove the con-

[24] Vit. Simplic. (CC. t. 4. p. 1066 a.) Hic fecit ordinationes in Urbe Roma tres, per mensem Decembrem et Februarium, &c. [Cf. Vit. Gelas. (ibid. p. 1155 a.) Hic fecit ordinationes duas in Urbe Roma per menses Februarium et Decembrem. Ed.]

[25] Ep. 9. ad Episc. Lucan. c. 11. [al. 13.] (CC. ibid. p. 1191 c.) Ordinationes etiam presbyterorum et diaconorum nisi certis temporibus et diebus exerceri non debent, id est, quarti mensis jejunio, septimi, et decimi, sed et etiam quadragesimalis initii, ac mediana quadragesimæ die, sabbati jejunio circa vesperam noverint celebrandas.

[26] De Offic. Eccles. l. 2. c. 1. (ap. Bibl. Max. t. 14. p. 968 c.) Primi Apostolici [al. Apostoli] semper in Decembrio mense .... consecrationes ministrabant usque ad Simplicium, qui fuit a B. Petro quadragesimus nonus. Ipse primus sacravit in Februario. [And Mr. Wharton in his Auctarium of Bp. Usher's Historia Dogmatica de Scripturis et Sacris Vernaculis (p. 363.) says,—*Omnes Apostolicos a B. Petro, usque ad Simplicium Papam, ordinationes tantum in jejunio Decembris celebrasse,*

trary. The inquisitive reader will be able to furnish himself with many other such instances, from which it may be concluded, that the times of ordination were not fixed for four of the first centuries, since no ancient writer within that space makes any mention of them. And therefore there is no necessity, with Baronius[27] and Bellarmin[28], to make the *jejunia quatuor temporum* an apostolical tradition; but it is sufficient to speak of them as an useful order of the Church, founded upon ecclesiastical institution some ages after.

Ordinations indifferently given on any day of the week for three centuries.

7. The same must be said in answer to the second question, *whether Sunday was always the day of ordination?* It is evident, that for the three first centuries it was not. For Mr. Pagi[29] has unanswerably proved against Papebrochius, from the most certain rules of chronology, that, before the time of Constantine, the ordinations of the bishops of Rome themselves were performed indifferently upon any day of the week, and that the affixing them to the Lord's-day and other solemn festivals was the business of the fourth century. So that when Pope Leo says[30], 'that such ordinations as were made upon

adnotavit Ivo Carnotensis in Libro MS. de Ecclesiast. Offic. c. 39. Ed.]

[27] An. 57. n. 209. (t. 1. p. 516 a.) Ipsa quatuor anni temporum jejunia, quæ in ecclesia servari solent, ex apostolica institutione sumpsisse principium, sanctus Leo absque ulla dubitatione confirmat, &c.

[28] De Verbo Dei non Scripto, l. 4. c. 3. p. 206. (t. 1. p. 171 a.) Sextum mendacium est: Calixtus jejunia quatuor temporum instituit: ergo falsum est, quod sint ex apostolica traditione. Mendacium est, quod Calixtus omnia instituerit quatuor temporum jejunia. Ipse enim, in Epist. 1, dicit, se tantum addidisse unum jejunium ad tria, quæ antea erant. Quocirca quod sanctus Leo, Sermon. 2. de Jejunio Pentecostes, et Sermon. 8. de Jejunio Septimi Mensis, dicit, illa jejunia esse ex apostolica traditione, non pugnat cum decreto Calixti.

[29] Crit. in Baron. an. 67. n. 14 et 16. [al. 18.] (t. 1. p. 57.) Ante constitutam a Constantino Magno ecclesiæ pacem, pontificum Romanorum ordinationes quocumque die indiscriminatim peractæ. Hanc regulam tertio ecclesiæ sæculo tot exemplis comprobabimus, ut ea in dubium revocari minime possit. In Martyrologio Hieronymiano, ad diem 28. Decembris, legitur, *Romæ Felicis et Bonifacii episcopi de ordinatione;* quæ ultima verba a librario corrupta et posita loco istorum, *Episc. dies ordinationis*, id est, *episcoporum.* Nam in Martyrologiis aliquando legitur, *Ordinatio N. episcopi*, vel *episcopatus N.*, vel *Natale episcopatus N.*, vel *Natale cathedræ*, id est, S. Petri Antiochiæ. Quare S. Felix, hujus nominis primus, anno centesimo sexagesimo nono, die vicesima octava mensis Decembris, quæ in feriam tertiam incidebat, ordinatus est. Mitto alia exempla suis locis adducenda. Post itaque tria priora ecclesiæ sæcula in morem inductum, ut ordinationes tam Romanorum pontificum, quam cæterorum episcoporum, diebus Dominicis vel festis solemnioribus perage-rentur.

[30] Ep. 81. ad Dioscor. c. 1. tot. (CC. t. 3. pp. 1374, 1375.) Quod ergo a patribus, &c.

other days than Sundays were against the canons and the tradition of the Fathers,' he is to be understood, as before, to mean only the custom of his own times; if yet it was the custom when Leo lived: for there is some reason to doubt the authority either of Leo's Epistle, or that of Gelasius, who lived not long after. For Gelasius says[31], 'the ordinations of presbyters and deacons were to be made on Saturday, in the evening.' So that either one of these Epistles is spurious, or else the custom varied in the same century in the Church of Rome.

The ceremony usually performed in the time of the oblation at morning-service.

8. I confess Gelasius is singular in that part of his decree which fixes ordinations to evening service. For though the ancients were not always precise to a certain day of the year, or a certain day of the week; yet they more punctually observed the time of the day, to give ordinations *at morning service*. This was a very ancient rule of the Church, as we may learn from the objection that was made against Novatian, that among his other irregularities he was ordained at an uncanonical hour, ὥρᾳ δεκάτῃ, *at ten o'clock*, or *four in the afternoon*, as Cornelius, in his Epistle to Fabian[32], lays the charge against him. The Council of Laodicea[33] is still more punctual to the time, that ordinations should not be given while the hearers or catechumens were present, but at the time of the oblation. The reason of which was, that the person ordained might either consecrate, or at least participate of the eucharist at the time of his ordination. Whence Theodoret, speaking of the ordination of Macedonius the anchoret, says it was done[34] τῆς μυστικῆς ἱερουργίας προκειμένης, *in the time of the mystical*, that is, *the communion-service*. And so Epiphanius[35] represents the ordination of Paulinianus, St. Je-

[31] Ep. 9. ad Episc. Lucan. c. 11. [al. 13.] See before, s. 6. the last clause of n. 25, precisely.

[32] Ap. Euseb. l. 6. c. 43. (v. 1. p. 311. 34.) Οὓς παραγενομένους, ἅτε δὴ .... ἀνθρώπους ἁπλουστέρους περὶ τὰς τῶν πονηρῶν μηχανάς τε καὶ ῥᾳδιουργίαν, συγκλεισθέντας ὑπό τινων ὁμοίων αὐτῷ τεταγμένων ἀνθρώπων, ὥρᾳ δεκάτῃ μεθύοντας καὶ κραιπαλῶντας, μετὰ βίας ἠνάγκασεν εἰκονικῇ τινι καὶ ματαίᾳ χειροπιθεσίᾳ ἐπισκοπὴν αὐτῷ δοῦναι, κ. τ. λ.

[33] C. 5. (t. 1. p. 1497 a.) Περὶ τοῦ μὴ δεῖν τὰς χειροτονίας ἐπὶ παρουσίᾳ ἀκροωμένων γίγνεσθαι.

[34] Hist. Relig. c. 13. See before, s. 3. p. 78. n. 98.

[35] Ep. ad Joan. Hierosol. (t. 2. p. 313 a.) Et cum ministraret in sanctis sacrificiis, rursus eum ingenti difficultate tento ore ejus ordinavimus presbyterum, et iisdem verbis, quibus antea suaseramus,

rom's brother, whom he ordained presbyter, whilst he ministered in the holy sacrifice of the altar. But this is to be understood chiefly, if not only, of the three superior orders of bishops, presbyters, and deacons: for as to the rest, it was indifferent what time they were ordained, so long as it was in the church in any part of divine service.

The church the only regular place of ordination.

9. But *out of the church* no ordination could be regularly performed. Though there was this difference between the superior and inferior orders, that the one were conferred within the sanctuary or altar-part, and the other without; yet they both agreed in this, that the church was still the proper place to give birth to all such orders as were to be employed in any ecclesiastical service. And therefore Gregory Nazianzen justly upbraids Maximus the cynic, who intruded himself into his see of Constantinople[36], that, being excluded from the church, he was ordained in the house of a minstrel; which was also objected to Ursinus, who was competitor with Damasus for the see of Rome, that he was not ordained in a church[37], but in an obscure corner of the hall called *Sicona* [*Sicina*].

Ordination received kneeling at the altar.

10. As to the ceremonies used in the act of ordination itself, beside what has been noted before in speaking of each particular order, it will be proper to observe some things of them in general. As, first, that the ordinations of bishops, presbyters, and deacons were always received *kneeling before the altar*. So the author under the name of Dionysius represents the matter in his Rationale upon the Church's service[38]. And Theodoret mentions it as the customary rite, when, speaking of the ordination of a bishop, he says[39] 'they brought him to the holy table, and made him kneel on his knees by force.'

Given by imposition

11. Secondly, the solemnity itself in giving the superior

impulimus ut sederet in ordine presbyterii.

[36] Carm. de Vit. sua. (t. 2. p. 15 a.)

Εἰς γὰρ χοραύλου λυπρὸν οἰκητήριον
Ἀχθέντες οἱ σεμνοί τε καὶ Θεῷ φίλοι,
Λαοῦ τ' ἔχοντες τῶν ἀποβλήτων τινὰς,
Κυνῶν τυποῦσι τὸν κάκιστον ποιμένα
Κείραντες, οὐ δήσαντες, οὐδὲ σὺν βίᾳ·
Κύων γὰρ ἦν πρόθυμος εἰς τὰ κρείσσονα.

[37] Vid. Socrat. l. 4. c. 29. (v. 2. p. 251. 34.).... Χειροτονεῖται οὐκ ἐν ἐκκλησίᾳ, ἀλλ' ἐν ἀποκρύφῳ τόπῳ τῆς βασιλικῆς τῆς ἐπικαλουμενης Σικίνης. —See the PS. at the end of ch. 7, p. 103.

[38] De Hierarch. Eccles. c. 5. n. 7. sub fin. et n. 8. (t. 1. p. 239 d.) Τοῖς δὲ ἱερεῦσι τοῖν δυοῖν ποδοῖν ἡ κλίσις κ. τ. λ.

[39] L. 4. c. 15. (v. 3. p. 166. 33.) Πάντων .... τὸν Ἀντίοχον ψηφισαμένων τοῦ θείου διάδοχον, καὶ παρὰ τὴν ἱερὰν τράπεζαν ἀγαγόντων τε καὶ κλίναι βιασαμένων τὰ γόνατα, κ. τ. λ.

of hands and prayer.

orders was always performed by *imposition of hands and prayer*[40]. Which is evident from St. Jerom[41], who says, 'that imposition of hands was therefore added to complete the ordinations of the clergy, lest any one by a silent and solitary prayer should be ordained without his knowledge.' Gregory Nyssen[42] indeed tells us a very strange story of the ordination of Gregory Thaumaturgus, how Phædimus, bishop of Amasea, ordained him only by prayer, without imposition of hands; for he was absent, being fled to the wilderness to avoid ordination. Notwithstanding which Phædimus consecrated him to the bishopric of Neo-Cæsarea, which he afterwards accepted. But as a learned man[43] conjectures, it is most likely that he had another ordination; or if not, this act must pass for a singular instance, contrary to the common rule and established order of the Church. The Greeks call this imposition of hands both χειροτονία and χειροθεσία, as may be seen in the canons of the Councils of Nice[44] and Chalcedon[45]. Yet sometimes those words are distinguished, as in the author of the Constitutions[46], where he says πρεσβύτερος χειροθετεῖ, οὐ χειροτονεῖ, *a presbyter gives imposition of hands, but does not ordain.* Where it is plain, that imposition of hands means not ordination, but some

[40] [The Ordination-Prayers, says the author in a manuscript note on the margin of the original edition, are spoken of by Gregory Nazianzen, Orat. 19. al. 18. de Fun. Patr. The term χειροτονία occurs, (t. 1. p. 286.) but I do not find any distinct allusion to the prayers. Ed.]

[41] L. 16. in Isai. c. 58. p. 265. (t. 4. p. 694 e.).... Χειροτονία, id est, ordinatio clericorum, quæ non solum ad imprecationem vocis, sed ad impositionem impletur manus: ne scilicet vocis imprecatio clandestina clericos ordinet nescientes.

[42] Vit. Greg. Thaumaturg. (t. 3. p. 544 d.) Ὁ Φαίδιμος .... ἀντὶ χειρὸς ἐπάγει τῷ Γρηγορίῳ τὸν λόγον ἀφιερώσαι τῷ Θεῷ τὸν σωματικῶς οὐ παρόντα.

[43] Cave, Hist. Liter. (v. 1. p. 94.) .... A Phædimo, Amaseæ antistite, Neo-Cæsareæ episcopus ordinatur, modo plane mirabili et hactenus inaudito.... Cum enim Gregorius in solitudinem secesserat, ne a philosophiæ studiis distraheretur animus, et ut Phædimi consilium evitaret, novas subinde latebras quæreret; Phædimus impetu quodam divino provectus, oratione primum ad Deum conversa, deinde sermone ad Gregorium habito, eum, quasi jam præsenti manus imponeret, Deo et ecclesiæ isti episcopum consecravit. Quam provinciam, Deo animum ejus suaviter disponente, Gregorius more consueto, uti credi par est, prius ordinatus, postea lubens suscepit.

[44] C. 19. (t. 2. p. 37 e.) Ἐμνήσθημεν δὲ διακονισσῶν τῶν ἐν τῷ σχήματι ἐξετασθεισῶν, ἐπεὶ μηδὲ χειροθεσίαν τινὰ ἔχουσιν, ὥστε ἐξάπαντος ἐν τοῖς λαϊκοῖς αὐτὰς ἐξετάζεσθαι.

[45] C. 15. (t. 4. p. 763 a.) Εἰ δέ γε δεξαμένη τὴν χειροθεσίαν, καὶ χρόνον τινὰ παραμείνασα τῇ λειτουργίᾳ, ἑαυτὴν ἐπιδῷ γάμῳ, ὑβρίσασα τὴν τοῦ Θεοῦ χάριν, ἡ τοιαύτη ἀναθεματιζέσθω μετὰ τοῦ αὐτῇ συναφθέντος.

[46] L. 8. c. 28. (Cotel. v. 1. p. 411.) .... Πρεσβύτερος .... χειροθετεῖ, οὐ χειροτονεῖ.

other benediction of the Church, wherein imposition of hands was used as well as in ordination. Neither does χειροτονία always signify ordination in ancient writers; though it does most commonly so, as Fronto Ducæus[47] and other learned persons have shewed; but sometimes it denotes no more than designation or election; as when Ignatius[48] uses the phrase χειροτονῆσαι θεοπρεσβύτην, only to signify *the election* or *appointment of a messenger* to go upon an errand of the Church. Which I note to caution the reader against mistakes committed by some authors, who confound ordinations with elections, for want of distinguishing the critical senses of words as the subject matter requires.

The sign of the cross used in ordination.

12. I must further observe, that as *the sign of the cross* was used upon many occasions by the primitive Christians so particularly in their ordinations; which we learn from Chrysostom, who more than once mentions it upon this occasion. 'If,' says he[49], 'we are to be regenerated, the cross is used, viz. in baptism; or if we are to eat the mystical food, the eucharist; or to receive an ordination, we are signed with the sign of the cross.' Upon this account, Suicerus[50] notes, out of the author

[47] Not. in Chrysost. Hom. 1. ad Pop. Antioch. p. 1. (Ed. Francof. 1699. t. 6. append. p. 2 b.) De ordinationibus Brixianus interpres verterat, *de electionibus*: atque apud profanos quidem scriptores χειροτονία, quæ proprie manuum extensionem sonat, decretum significat, vel suffragiorum lationem, qua in populi comitiis magistratus deferebantur, et χειροτονεῖν per suffragia creare; sed apud Christianos et sacros auctores peculiariter pro ecclesiasticorum ministrorum ordinatione sumitur, qui plerique per impositionem manuum accipiebant potestatem, &c.

[48] Ep. ad Smyrn. n. 11. (Cotel. v. 2. p. 38.) Ἵνα οὖν τέλειον ὑμῶν γένηται τὸ ἔργον, καὶ ἐπὶ γῆς καὶ ἐν οὐρανῷ, πρέπει εἰς τιμὴν Θεοῦ χειροτονῆσαι τὴν ἐκκλησίαν ὑμῶν θεοπρεπεστάτην [al. θεοπρεσβύτην] κ. τ. λ. —Ep. ad Philadelph. n. 10. (Cotel. ibid. p. 85.) Πρέπον ἐστὶν ὑμῖν, ὡς ἐκκλησίᾳ Θεοῦ, χειροτονῆσαι διάκονον* εἰς τὸ πρεσβεῦσαι ἐκεῖ Θεοῦ πρεσβείαν, κ. τ. λ.—Ep. ad Polycarp. n. 7. (Cotel. ibid. p. 97.) Πρέπει, Πολύκαρπε θεομακαριστότατε, συμβούλιον ἀγαγεῖν θεοπρεπέστατον, καὶ χειροτονῆσαι εἴ τινα [al. τινὰ, ὄν] ἀγαπητὸν λίαν ἔχετε καὶ ἄοκνον, ὃς δυνήσεται Θεοδρόμος καλεῖσθαι, κ. τ. λ.

[49] Hom. 55. [Ed. Bened. 54.] in Matth. c. 16, 13—23. (t. 7. p. 551 b.) Κἂν ἀναγεννηθῆναι δέῃ, σταυρὸς παραγίνεται· κἂν τραφῆναι τὴν μυστικὴν ἐκείνην τροφὴν, κἂν χειροτονηθῆναι, κἂν ὁτιοῦν ἕτερον ποιῆσαι, πανταχοῦ τοῦτο τῆς νίκης ἡμῖν παρίσταται σύμβολον.

[50] Thes. Eccles. in voc. σφραγὶς. (t. 2. p. 1199. n. 2.) Manuum impositio, quæ fiebat ad ordinationem, σφραγίς, consignatio, dicebatur, quia

* [Cotelerius reads ἐπίσκοπον in the text, but observes (see n. 95 in loc.) Anglican. rectius, *ordinare diaconum*, id est, designare diaconum, qui legationem obeat. Ed.]

under the name of Dionysius, that the imposition of hands in ordination was called σφραγὶς, *consignation*, and σταυροειδὴς σφραγὶς, *consignation in form of a cross*[51], because the sign of the cross was made on the head of him that was ordained.

But no unction, nor the ceremony of delivering vessels into the hands of presbyters and deacons.

13. As to *the ceremony of unction*, I have already had occasion to shew its novelty in another place[52]; together with the custom of delivering some of the holy vessels into the hands of the person ordained; which, Habertus says, was never used in giving any of the superior orders, but only the inferior, by the rule of the fourth Council of Carthage, which makes that the chief part of their ordination. Though Habertus[53] and some others question the authority of that very Council, and reckon all its canons spurious. But that only by the way.

Ordinations concluded with the kiss of peace.

14. When the ceremony of consecration was ended, it was usual for the clergy then present to salute the person newly ordained with *the kiss of peace*[54]. And so being conducted to

dum manum imponerent capiti, signum crucis etiam in capite consecrandi faciebant. Dionysius Areopagita, c. 5. de Ecclesiastica Hierarchia, p. 314, σταυροειδῆ σφραγῖδα vocat, et, p. 312, explicat mysterium sacerdotalis consecrationis: Ἑκάστῳ, κ. τ. λ. See n. 54. following.

[51] See the same, n. 54. [Conf. c. 5. part. 3. n. 4. (p. 237 d.) Ἡ σταυροειδὴς δὲ σφραγὶς, κ. τ. λ. Ed.]

[52] B. 2. ch. 19. s. 17. v. 1. p. 239.

[53] Archierat. ad Rit. Ordinat. observ. 2. (p. 323.) ..... Martinus Becanus, 4. parte de Sacram. Tract. de Ordin. Qu. 4. Conclusione 3. *Impositio manuum videtur esse materia essentialis hujus sacramenti, et a Christo instituta: porrectio vero instrumentorum videtur esse accidentalis, et ab ecclesia introducta. Concilium enim Florentinum in instructione Armenorum solum meminit materiæ accidentalis, quæ ab ecclesia fuit instituta; non autem substantialis, quam Christus præscripsit, quia hæc ex scripturis et antiquis patribus erat satis cognita, non autem illa. Addo, si hoc argumentum valeret, posset ita optime retorqueri: Antiqua concilia non assignat aliam materiam nisi manuum impositionem.* Contra quæ postrema Becani verba, quia proferri possent canones ordinationum Concilii 4. Carthaginensis, in quibus porrectionis instrumentorum fit aliqua mentio; monendus est lector, primo fieri mentionem solius manuum impositionis in trium ordinum hierarchicorum, episcopi, presbyteri, et diaconi consecratione: porrectionis vero calicis et aliorum instrumentorum in aliorum ordinatione. Secundo, canones illos primos non esse Concilii Carthaginensis, nec temporis illius; sed ex Libris Ritualibus posterioris sæculi illuc transpositos, ut alibi plenius ostenditur.

[54] Vid. Dionys. Hierarch. Eccles. c. 5. part. 2. p. 367. (t. 1. p. 237 a.) Ἑκάστῳ δὲ αὐτῶν ἡ σταυροειδὴς ἐνσημαίνεται πρὸς τοῦ τελοῦντος ἱεράρχου σφραγὶς, καὶ καθ' ἕκαστον ἀνάρρησις ἱερὰ γίγνεται, καὶ τελειωτικὸς ἀσπασμὸς, ἀσπαζομένου παντὸς ἱερατικοῦ παρόντος ἀνδρὸς, καὶ τοῦ τελέσαντος ἱεράρχου τὸν πρός τι τῶν εἰρημένων ἱερατικῶν ταγμάτων ἀποτελεσθέντα.—Constit. Apost. l. 8. c. 5. (Cotel. v. 1. p. 392.) Μετὰ τὴν προσευχὴν, εἷς τῶν ἐπισκόπων ἀναφερέτω τὴν θυσίαν ἐπὶ τῶν χειρῶν τοῦ χειροτονηθέντος· καὶ τῇ ἑωθεν ἐνθρονιζέσθω εἰς τὸν αὐτῷ διαφέροντα τόπον παρὰ τῶν λοιπῶν ἐπισκόπων, πάντων αὐτὸν φιλησάντων τῷ ἐν Κυρίῳ φιλήματι.

his proper station belonging to his office, if he was a bishop or a presbyter, he made his first sermon to the people. But of this, as it relates to bishops, I have given an account before. As it relates to presbyters in the Greek Church, where it was more usual for presbyters to preach, the reader may find examples of such sermons among those of Chrysostom[55] and Gregory Nyssen[56], which they preached upon the day of their ordination.

The anniversary day of a bishop's ordination kept a festival.

15. I cannot omit to mention one thing more, which should have been mentioned in another place, because it was an honour peculiarly paid to the order of bishops; which was, that in many places *the day of their ordination was solemnly kept* among the anniversary festivals of the Church. On these days they had church-assemblies, and sermons, and all the other solemnities of a festival. Which appears from St. Austin's Sermons[57], two of which were preached upon the anniversary of his own ordination; and in another[58], published by Sirmondus, he also mentions the day under the same title of his own anniversary. In a fourth[59] he speaks also of the anniversary of Aurelius, bishop of Carthage, inviting the people to come and keep the festival in *Basilica Fausti*, which was a noted church in Carthage. Among the Homilies also of Leo, bishop of Rome, the three first are upon the anniversary of his assumption to the pontificate. And a late learned critic[60] has observed, that in St. Jerom's, and some other ancient Martyrologies, there sometimes occur such festivals under the titles of *ordinatio episcopi* and *natale episcopatus*, that is, *the ordination* or *birthday of such or such a bishop*. Which doubtless at first were the anniversaries of their ordination, which they themselves kept in their lifetime, and which were continued in

[55] Hom. cum Presbyter esset designatus, t. 4. p. 953. (t. 1. p. 436.)

[56] Hom. in suam Ordinat. (t. 2. pp. 40, seqq.)

[57] Homm. 24. et 25. ex Quinquaginta. [al. Hom. 383. In die anniversaria ordinationis episcopalis. (t. 5. p. 1484 b.) et Hom. 339. In die ordinationis suæ, 1. (t. eod. p. 1308 d.) Ed.]

[58] Serm. 39. ex Quadraginta a Sirmondo editis. [al. Hom. 340. In die ordinationis suæ, 2. (t. 5. p. 1311 a.) Ed.]

[59] Hom. 32. [al. 111.] de Verb. Dom. (t. 5. p. 563 g.) Dies anniversarius ordinationis Domini Senis Aurelii crastinus illucescit; rogat et admonet per humilitatem meam caritatem vestram, ut ad Basilicam Fausti devotissime venire dignemini.

[60] Pagi, Crit. in Baron. an. 67. n. 14. [al. 18.] (t. 1. p. 57.) In Martyrologio Hieronymiano, &c. See before, s. 7. n. 29, preceding.

memory of them after death; by which means they came to be inserted into the Martyrologies as standing festivals, denoting there neither the day of their natural birth, nor their death, as some mistake, but the day of their ordination or advancement to the episcopal throne. But of this more when we come to speak of the festivals of the Church.

CHAP. VII.

The case of forced ordinations and re-ordinations considered.

orced ordinations ry frequent in the imitive hurch.

1. For the close of this book I shall add something concerning *forced ordinations* and *re-ordinations*, which were things that very often happened in the primitive Church. For anciently, while popular elections were indulged, there was nothing more common than for the people to take men by force, and have them ordained even against their wills. For though, as Sulpicius Severus complains, many men were too ambitious in courting the preferments of the Church; yet there were some who ran as eagerly from them as others ran to them; and nothing but force could bring such men to submit to an ordination. We have seen an instance or two of this already[61] in the cases of St. Austin and Paulinus; and ecclesiastical history affords us many others. For, not to mention such as only fled or absconded to avoid ordination; such as Cyprian[62], and Gregory Thaumaturgus[63], and Athanasius[64], and Evagrius[65], and St. Ambrose[66]; there were some who were plainly ordained

[61] See before, ch. 2. s. 8. p. 22.

[62] Pont. Vit. Cypr. (Vit. p. 3.)... Judicio Dei et plebis favore, ad officium sacerdotii et episcopatus gradum adhuc neophytus, et, ut putabatur, novellus, electus est: .. Cum in dilectionem ejus et honorem totus populus adspirante Domino prosiliret, humiliter ille secessit, antiquioribus cedens, et indignum se titulo tanti honoris existimans, &c.

[63] Greg. Nyss. Vit. Thaumaturg. (t. 3. p. 544 d.) See ch. 6. s. 11. n. 42, preceding.

[64] Sozom. l. 2. c. 17. (v. 2. p. 66. 11.)...Τόνγε Ἀθανάσιόν φασιν ἀποφυγεῖν πειραθῆναι, καὶ ἄκοντα βιασθῆναι πρὸς Ἀλεξάνδρου τὴν ἐπισκοπὴν ὑποδέξασθαι.

[65] Socrat. l. 4. c. 23. (ibid. p. 242. 9.) Ἐπειδὴ δὲ χρόνῳ ὕστερον καὶ Εὐάγριος ὑπὸ Θεοφίλου τοῦ ἐπισκόπου Ἀλεξανδρείας πρὸς ἐπισκοπὴν συλληφθεὶς ἀπέφυγεν, κ. τ. λ.

[66] Paulin. Vit. Ambros. [n. 8.] (t. 2. præfix. append. p. 3 c.) At ille cum videret nihil intentionem suam posse proficere, fugam paravit: egressusque noctis medio civitatem, tum Ticinum se pergere putaret, mane ad portam civitatis Mediolanensis, quæ Romana dicitur, invenitur... Qui inventus cum custodiretur a populo, missa relatio est ad clementissimum imperatorem tunc Valentinianum ..... Pendente ratione, iterum fugam paravit, atque in possessione cujusdam Leontii clarissimi viri aliquamdiu delituit, &c.

against their wills; as Nepotian, of whom St. Jerom[67] says, 'that when his uncle Heliodore ordained him presbyter, he wept and lamented his condition, and could not forbear expressing his anger against his ordainer, though that was the only time he ever had occasion to do it.' St. Martin, bishop of Tours, was so averse from taking the bishopric, that he was forced to be drawn out of his cell by craft, and carried under a guard to his ordination, as the sacred historian[68] informs us. And the ordination of Macedonius, the anchoret, by Flavian, bishop of Antioch, was so much against his will, that they durst not let him know what they were about till the ceremony was over; and when he came to understand that he was ordained presbyter, he broke forth into a rage against Flavian, and all that were concerned in the action, as thinking that his ordination would have obliged him to another sort of life, and deprived him of his retirement and return to the mountains. So Theodoret, in his Lives of the Eastern Anchorets[69], relates the story. And that this was a very common practice in those times, appears from what Epiphanius[70] says of the custom in Cyprus; 'that it was usual in that province for persons that fled to avoid ordination by their own bishop, to be seized by any other bishop, and to be ordained by them, and then be returned to the bishop from whom they were fled.' Which argues, that forced ordinations in those times were both practised and allowed.

2. Nor was it any kind of remonstrance or solicitation whatsoever which the party could make that would prevent his ordination in such cases, except he chanced to *protest solemnly upon oath against ordination.* For in that case he was to be set at liberty, and not to be ordained against so solemn a protestation. This is evident from one of the canons of St. Basil,

No excuse admitted in that case, except a man protested upon oath that he would not be ordained.

[67] Ep. 3. [al. 60.] Epitaph. Nepotian. (t. 1. p. 335 e.).. Presbyter ordinatur, Jesu bone, qui gemitus, qui ejulatus, quæ cibi interdictio, quæ fuga oculorum omnium? tum primum et solum avunculo iratus est.

[68] Sulp. Sever. Vit. B. Martin. c. 7. (p. 471.) Ita dispositis jam in itinere civium turbis, sub quadam custodia ad civitatem [Turones] usque deducitur, &c.

[69] Hist. Relig. c. 13. See ch. 6. s. 3. p. 78. n. 98.

[70] Ep. ad Joan. Hierosol. (t. 11. p. 313 c.) Nam multi episcopi communionis nostræ et presbyteros in nostra ordinaverunt provincia, quos nos comprehendere non poteramus, et miserunt ad nos diaconos et hypodiaconos, quos suscepimus cum gratia, &c.—See ch. 6. s. 5. n. 15, preceding.

which says[71], 'that they who swear they will not be ordained, are not to be compelled to forswear themselves by being ordained.' And this, I think, also may be collected from the account which Epiphanius gives of his own transaction with Paulinianus, St. Jerom's brother, upon such an occasion. 'Paulinianus,' he says[72], 'was one of those who fled from their bishop for fear of ordination; but providentially coming where Epiphanius was, he caused him to be seized by his deacons, not dreaming or suspecting any thing of ordination; and when he came to it, he caused them to hold his mouth, for fear he should have adjured him by the name of Christ to set him free.' Thus he ordained him deacon first, and presbyter sometime after, in the very same manner. Which seems to imply, that if he had suffered him to have made his protestation in the name of Christ, he could not have proceeded to his ordination. But it seems nothing else but such an adjuration was available to set him free: and that is a further argument that in those times men might be ordained against their wills, and yet their ordinations stand good, and be accounted as valid as any others.

s prac- after- d prohi- d by impe- laws

3. But in the next age this practice was prohibited, because of several inconveniences that were found to attend it. The emperors Leo and Majorian made a law with sanctions and penalties to prevent it; for they decreed[73], 'that no one

71 Ep. Canon. c. 10. (CC. t. 2. p. 1728 a.) Οἱ ὀμνύοντες μὴ καταδέχεσθαι τὴν χειροτονίαν, ἐξομνύμενοι μὴ ἀναγκαζέσθωσαν ἐπιορκεῖν.

72 Ep. ad Joan. Hierosol. (t. 2. p. 312 c.) Quum igitur celebraretur collecta in ecclesia villæ, quæ est juxta monasterium nostrum, ignorantem eum, et nullam penitus habentem suspicionem, per multos diaconos apprehendi jussimus, et teneri os ejus, ne forte liberari se cupiens adjuraret nos per nomen Christi, et primum diaconum ordinavimus, proponentes ei timorem Dei, et compellentes ut ministraret. Et cum ministraret in sanctis [illegible] rursus eum ingenti diffi- [illegible] ore ejus, ordinavimus [illegible] &c.

[illegible] ad calc. Cod. Theod. [illegible] Ad suscipien- dum clericatus officium unicuique nos optionem dedisse, non legem: quia quamlibet sanctum onus, ut volentibus patimur imponi, ita ab invitis jubemus arceri. Nonnullorum enim persuasio sacerdotum reluctantibus onus istud imponit, ut improvidas mentes, violentiæ intercedentis offensa, ad odium piæ religionis instituat. Eo ergo licentiam hujus præsumptionis excludimus, ut si quispiam probatus fuerit, vi coactus, sub contumelia publica clericatus officia suscepisse, spontaneis accusationibus, vel si ipse voluerit allegare perpessa, licentiam commodemus apud judices competentes hujusmodi admissa damnare: ut si inter leges objecta constiterint decem libras auri archidiaconus cogatur inferre ei, qui pertulerit exsolvendas: dehinc si ille desistit, accu-

should be ordained against his will.' And, 'whereas some bishops did impose the burthen of orders upon men against their consent they granted liberty in that case, either to the party himself or any other accuser to bring an action at law against the archdeacon; who was liable to be fined ten pounds of gold, to be paid to the injured party, or to the informers, or to the states of the city. The bishop also was to be censured by his superiors, and the party ordained to be set at liberty, as if he had never been ordained.' Pursuant to this law, John, bishop of Ravenna, for a transgression of this kind, was threatened to be deprived of the power of ordination by Simplicius[74], bishop of Rome, anno 482. And the third Council of Orleans[75], anno 538, made a decree for the French Churches, 'that if any bishop ordained a clerk against his will, he should do penance for the fact a whole year, and remain suspended from his office till that term was expired.' So great an alteration was there made in one age in the rules and practice of the Church from what they had been in the former.

and canons of the Church.

4. But I must note, that, after this correction was made, there was still some difference to be observed between the forced ordination of a bishop, and that of an inferior clerk, presbyter, deacon, or any other. For though the forementioned imperial law gave liberty to all inferiors so ordained to relinquish their office which was forced upon them, if they pleased, and betake themselves to a secular life again, yet it peremptorily denied this privilege to bishops, decreeing[76], 'that their ordination should stand good, and that no action brought against their ordainers should be of force to evacuate or disannul their consecration.' Which seems to be grounded

Yet a bishop ordained against his will had not the privilege to relinquish.

satoris censibus et civitatis ordini profuturas: illo suæ reddito voluntati, qui coactus non potuit consecrari. Et quia ab ejusmodi ausu nec episcopum a verecundia esse convenit alienum, ad apostolicæ sedis devocetur antistitem. In illa reverendissima sede notam illicitæ præsumptionis incurrat.

[74] Ep. 2. ad Joan. Ravenn. (CC. t. 4. p. 1069 c.) Denuntiamus autem quod si posthac quidquam tale præsumpseris, et aliquem seu episcopum, seu presbyterum, seu diaconum, invitum facere forte credideris, ordinationes tibi Ravennatis ecclesiæ vel Æmiliensis noveris auferendas.

[75] C. 7. (t. 5. p. 297 e.) Episcopus qui invitum vel reclamantem præsumpserit ordinare, annuali pœnitentiæ subditus missas facere non præsumat.

[76] Leo, Novel. 2. ad calc. Cod. Theod. (t. 6. append. p. 34.) Si qui sane episcopus invitus fuerit ordinatus, hanc consecrationem nulla violari accusatione permittimus.

upon that ancient rule of the Church, mentioned in the Council of Antioch[77], and confirmed in the Council of Chalcedon[78], 'that if any bishop was ordained to a church, to which he refused to go, he should be excommunicated till he complied, or something were determined in his case by a provincial synod.' Which seems to authorize the using a sort of violence in compelling men to undergo the burden of the episcopal function; agreeably to that other law of Leo and Anthemius in the Justinian Code[79], which puts this among other qualifications of a bishop, 'that he shall be so far from ambition, as to be one rather that must be sought for and compelled to take a bishopric.' Such were anciently the laws of Church and State relating to forced ordinations.

s-ordinations generally condemned.

5. As to *re-ordinations*, before we can answer to the question about them, we must distinguish between the orders that were given regularly and canonically by persons rightly qualified in the Church, and such as were given irregularly by persons unqualified, or by heretics and schismatics out of the Church. As to such orders as were given regularly in the Church, they were supposed, like baptism, to impress a sort of indelible character, so as that there was no necessity upon any occasion to repeat them; but on the contrary it was deemed a criminal act so to do. The third Council of Carthage[80], following the steps of the plenary Council of Capua, or Capsa, decreed, 'that it was equally unlawful to re-baptize and re-ordain.' And those called the Apostolical Canons[81] make it deposition

[77] C. 17. (t. 2. p. 569 a.) Εἴ τις ἐπίσκοπος χειροθεσίαν ἐπισκόπου λαβὼν, καὶ ὁρισθεὶς προεστάναι λαοῦ, μὴ καταδέξοιτο τὴν λειτουργίαν, μηδὲ πείθοιτο ἀπιέναι εἰς τὴν ἐγχειρισθεῖσαν αὐτῷ ἐκκλησίαν, τοῦτον εἶναι ἀκοινώνητον, ἕστ' ἂν ἀναγκασθεὶς καταδέξοιτο, ἢ ὁρίσοι τι περὶ αὐτοῦ ἡ τελεία σύνοδος τῶν κατὰ τὴν ἐπαρχίαν ἐπισκόπων.

[78] Act. 11. (t. 4. p. 691 c.) In the same words as the preceding quotation.

[79] L. 1. tit. 3. de Episc. leg. 30. (t. 4. p. 95.) Tantum ab ambitu debet esse sepositus, ut quæratur cogendus, rogatus recedat, invitatus effugiat: sola illi suffragetur necessitas excusandi.

[80] C. 38. (t. 2. p. 1172 c.) Illud autem suggerimus, mandatum nobis, quod etiam in Capuensi [al. Capsensi] plenaria synodo videtur statutum: non liceat fieri rebaptizationes et reordinationes, vel translationes episcoporum.

[81] C. 67. [al. 68.] (Cotel. [c. 60.] v. 1. p. 446.) Εἴ τις ἐπίσκοπος, ἢ πρεσβύτερος, ἢ διάκονος δευτέραν χειροτονίαν δέξεται παρά τινος, καθαιρείσθω καὶ αὐτὸς, καὶ ὁ χειροτονήσας· εἰ μὴ δείξοι [al. μήγε ἆρα συσταίη], ὅτι παρὰ αἱρετικῶν ἔχει τὴν χειροτονίαν. Τοὺς γὰρ παρὰ τῶν τοιούτων βαπτισθέντας ἢ χειροτονηθέντας, οὔτε πιστοὺς, οὔτε κληρικοὺς εἶναι δυνατόν.

both for the ordainer and ordained to give or receive a second ordination. St. Austin[82] says it was not the custom of the Catholic Church to repeat either orders or baptism. For men did not lose their orders[83], as to the internal character and virtue, though they were suspended from the execution of their office for some misdemeanour. Optatus[84] testifies the same, telling us, 'that Donatus was condemned in the Council of Rome, under Melchiades, for re-ordaining such bishops as had lapsed in time of persecution, which was contrary to the custom of the Catholic Church.' And others[85] accuse the Arians upon the same account, for re-ordaining such of the Catholic clergy as went over to their party.

The proposal made by Cæcilian to the Donatists examined.

6. There is indeed a passage in Optatus concerning Cæcilian, bishop of Carthage, which at first view seems to import, as if Cæcilian had been willing to have submitted to a re-ordination. For Optatus[86] says 'Cæcilian sent this message to the Donatist bishops, that, if Felix had given him no true ordination, as they pretended, they should ordain him again, as if he were still only a deacon.' But St. Austin[87], who perhaps best under-

[82] Cont. Parmen. l. 2. c. 13. n. 28. (t. 9. p. 44 b.) Primo, quia nulla ostenditur causa, cur ille, qui ipsum baptismum amittere non potest, jus dandi possit amittere. Utrumque enim sacramentum est: et quadam consecratione utrumque homini datur; illud cum baptizatur, istud cum ordinatur: ideoque in catholica utrumque non licet iterari.

[83] De Bon. Conjugal. c. 24. (t. 6. p. 247 a.) Manet in illis ordinatis sacramentum ordinationis; et, si aliqua culpa quisquam ab officio removeatur, sacramento Domini semel imposito non carebit, &c.

[84] L. 1. p. 44. (p. 26. ult. lin.) In Donatum sunt hæ sententiæ latæ. Quod confessus sit se rebaptizasse, et episcopis lapsis manum imposuisse; quod ab ecclesia alienum est.

[85] Vid. Vales. Not. in Sozom. l. 6. c. 26. (v. 2. p. 253. n. 4.) Porro Ariani non solum rebaptizabant Catholicos, sed etiam clericos eorum ad se venientes iterum ordinabant. Cujus rei insigne exemplum habemus in Libello Precum Marcellini presbyteri, p. 81, sub finem: *Hic est egregius et sanctissimus ille episcopus, qui cum fuisset primum a catholicis episcopis ordinatus episcopus, postea ab impio Georgio in laicorum numerum redactus, nihilominus ab ipso Georgio episcopus ordinatus est, in vexatione fidelium.* Et paulo post: *Nisi quia atrocius gessit Theodorus, cum de episcopo catholico fit laicus, piam damnans fidem, et subscribens Arianæ impietati, ut ab hæretico iterum episcopus ordinetur.* Idem quoque testatur Hieronymus in Chronico, de Cyrillo Hierosolymitano loquens. *Cyrillus*, inquit, *cum a Maximo fuisset presbyter ordinatus, et post mortem ejus ita ei ab Acacio episcopo Cæsariensi et cæteris Arianis episcopatus promitteretur, si ordinationem Maximi repudiasset, diaconus in ecclesia ministravit.* In quo Ariani Donatistas videntur imitati, qui utrumque factitarunt.

[86] L. 1. p. 41. (p. 20.).... A Cæciliano mandatum est, ut si Felix in se, sicut illi arbitrabantur, nihil contulisset, ipsi tamquam adhuc diaconum ordinarent Cæcilianum.

[87] Brevic. Collat. cum Donatist. die

stood Cæcilian's meaning, says 'he only spoke this ironically to deride them, not that he intended to submit to a second ordination, but because he was certain that Felix and the rest of his ordainers were no traditors, as they accused them.' So that we have no instances of re-ordaining such as were regularly ordained in the Catholic Church; it being esteemed 'unlawful,' as Theodoret[88] words it, 'to give any man the same ordination twice. Whence neither in the translation of bishops from one church to another do we ever read of a new ordination, but only of an enthronization or instalment; as of a new matriculation of presbyters and deacons, when they were taken out of one church to be settled in another. Cyprian[89], speaking of his admission of Numidicus into his own church from another, where he was presbyter before, does not say he gave him a new ordination, but 'only a name and a seat among the presbyters of Carthage.' And this was the constant practice of the Church in all such cases, for any thing that appears to the contrary.

hismatics metimes -ordain-

7. As to *such as were ordained out of the Church* by schismatical or heretical bishops, the case was a little different. For the Church did not always allow of their ordinations, but sometimes, for discipline's sake, and to put a mark of infamy upon their errors, made them take a new ordination. This was decreed by the great Council of Nice in the case of those bishops and presbyters, whom Meletius the schismatic ordained in Egypt, after he had been deposed by his metropolitan of Alexandria. 'They were not to be admitted to serve in the Catholic Church, till they were first authorized by a more sacred ordination,' as that Council words it in her Synodical Epistle[90] or Directions to the Church of Alexandria. In pur-

3. c. 16. (t. 9. p. 571 b.) Dixerunt etiam scripsisse Optatum, quod Cæcilianus dixerit, 'Si traditores sunt qui me ordinaverunt, ipsi veniant et ordinent me.' Quod quidem si dictum est, ideo dici potuit ad illos irridendos, quibus hoc mandasse perhibetur, quoniam certus erat ordinatores suos non esse traditores. Non enim ait, quia traditores sunt; sed, 'si traditores sunt.' &c.

[88] Hist. Relig. c. 13. See ch. 6. s. 3. p. 78. n. 98.

[89] Ep. 35. [al. 40.] (p. 225.)..... Admonitos nos et instructos sciatis dignatione divina, ut Numidicus presbyter adscribatur presbyterorum Carthaginiensium numero, et nobiscum sedeat in clero.

[90] Ap. Socrat. l. 1. c. 9. (v. 2. p. 27. 26.) *Τοὺς ὑπ' αὐτοῦ καταστασθέντας, μυστικωτέρᾳ χειροτονίᾳ βεβαιωθέντας, κοινωνῆσαι ἐπὶ τούτοις, ἐφ' ᾧτε ἔχειν μὲν αὐτοὺς τὴν τιμὴν καὶ λειτουργίαν, δευτέρους δὲ εἶναι ἐξάπαντος πάντων τῶν ἐν ἑκάστῃ παροικίᾳ τε*

suance of this decree, Theodore, bishop of Oxyrinchus, reordained the Meletian presbyters upon their return to the Church; as Valesius[91] shews out of Marcellinus, and Faustinus's Petition to the emperor Theodosius: and other learned men[92] are of the same opinion. Yet in some cases the Church consented to receive schismatical bishops and presbyters without obliging them to take a new ordination. As in Afric, St. Austin[93] assures us, it was the custom to allow of the ordinations of the Donatists, and to admit them to officiate in whatever station they served before their return to the unity of the Church, without repeating their ordination any more than their baptism. He repeats this in several places of his writings. And that it was so, appears both from the canons of the African Councils[94], and the concessions made in the Collation of Carthage[95], where the proposal was, 'that the Donatist

καὶ ἐκκλησίᾳ ἐξεταζομένων, τῶν ὑπὸ τοῦ τιμιωτάτου καὶ συλλειτουργοῦ ἡμῶν Ἀλεξάνδρου προκεχειρισμένων.

[91] Not. in Theodor. l. 1. c. 9. (v. 3. p. 32. n. 2.).... Falsum est, quod asserunt viri doctissimi, ecclesiam illis temporibus non probasse reordinationes episcoporum et presbyterorum. Certe Marcellinus presbyter in Libello Precum, quem obtulit Theodosio imperatori, diserte testatur Theodorum, Catholicum episcopum urbis Oxyrinchi, reordinasse presbyteros partis Meletii. Sic enim scribit p. 83: *Sane hinc vult se Catholicum videri, quod et ipse quosdam nunc presbyteros seu diaconos Apollonii facit suasu quodam laicos, et eos iterum ordinat, ut videatur turpissimæ istius ordinationis vicem referre, quam passus est.* Theodorus igitur Catholicus, cum Meletianos presbyteros iterum ordinavit, in eo secutus videtur decretum synodi Nicænæ.

[92] Du Pin, Bibliothèque, Cent. 4. p. 251. (t. 2. p. 315.) Le concile... permit à Melice, &c. and note I (p. 319.) on the words,—Qui est une espece de réordination.

[93] Cont. Parmen. l. 2. c. 13. (t. 9. p. 44 c.).... Si visum est opus esse ut eadem officia gererent quæ gerebant, non sunt rursum ordinati, sed sicut baptismus in eis, ita ordinatio mansit integra, &c.—Cont. Crescon. l. 2. c. 11. (t. 9. p. 415 e.) Quamvis enim cum apud vos ordinantur, non super eos invocetur nomen Donati sed Dei: tamen ita suscipiuntur, ut videtur paci et utilitati ecclesiæ convenire.—Conf. Ep. 50. ad Bonifac. See n. 96, next page. —It. Ep. 162. p. 279. [al. 43. c. 5.] (t. 2. p. 95 c.) Et tamen qualis ipsius Beati Melchiadis ultima est prolata sententia, quam innocens, quam integra, quam provida atque pacifica; qua neque collegas, in quibus nihil constiterat, de collegio suo ausus est removere, et Donato solo, quem totius mali principem invenerat, maxime culpato, sanitatis recuperandæ optionem liberam cæteris fecit, paratus communicatorias literas mittere etiam iis, quos a Majorino ordinatos esse constaret: &c.

[94] Cod. Eccles. Afric. cc. 69 et 70. [al. c. 68.] (t. 2. p. 1091 a.) *Δι' αὐτῶν τῶν Δονατιστῶν, οἵτινες δήποτε κληρικοὶ διορθουμένης τῆς βουλῆς πρὸς τὴν καθολικὴν ἑνότητα μετελθεῖν θελήσοιεν..... ἐν ταῖς ἰδίαις τιμαῖς αὐτοὺς ἀναδεχθῆναι, κ. τ. λ.*

[95] Die 1. c. 16. (ibid. p. 1352 c.) Sic [ecclesiæ] nobiscum teneant unitatem, ut non solum viam salutis inveniant, sed nec honorem episcopatus amittant.

5[illegible]43

bishops should enjoy their honours and dignities, if they would return to the unity of the Catholic Church.' This had before been determined in the Roman Council, under Melchiades, where the Donatists had their first hearing. For there, as St. Austin[96] informs us, it was also decreed, 'that only Donatus, the author of the schism, should be cashiered; but for all the rest, though they were ordained out of the Church, they should be received upon their repentance, in the very same offices and quality which they enjoyed before.' So that the rigour of church-discipline was quickened, or abated in this respect, according as the benefit or necessities of the Church seemed to require.

And heretics also upon their return to the Church in some places.

8. And the treatment of *persons ordained by heretics* was much of the same nature. Some canons require all such without exception to be re-ordained. It was so in the Greek Church, at the time when those called the Apostolical Canons were made. For the same canon[97] that condemns re-ordinations in the Church, makes an exception in the case of such as were ordained by heretics; pronouncing their ordination void, and requiring them to be ordained again. And this was generally the practice of all those Churches, in the third century, which denied the validity of heretical baptism; for by much stronger reason they denied their ordinations. Therefore Firmilian[98], who was of this opinion, tells us also, that the Council of Iconium, anno 256, decreed, 'that heretics had no power to minister either baptism, or confirmation, or ordination.' Nay, some of those, who allowed the baptism of heretics, yet still continued to condemn their ordinations. As Innocent[99], bishop of Rome, who determines against such as were ordained by the Arians and such other heretics, 'that

[96] Ep. 50. [al. 185. c. 10.] ad Bonifac. p. 87. (t. 2. p. 661 g.) Damnatoque uno quodam Donato, qui auctor schismatis fuisse manifestatus est, cæteros correctos, etiamsi extra ecclesiam ordinati essent, in suis honoribus suscipiendos esse censuerunt.

[97] Can. Apost. c. 67. See s. 5. p. 96. n. 81.

[98] Ep. 75. ap. Cypr. p. 221. (p. 322.) Hæretico sicut ordinare non licet, nec manum imponere, ita nec baptizare. [Vid. Cypr. Ep. 72. ad Steph. p. 197. (p. 309.).... Si autem in ecclesia non sunt [hæretici,] immo et contra ecclesiam faciunt, quomodo baptizare baptismo ecclesiæ possunt? Ed.]

[99] Ep. 18. ad Alexandr. c. 3. (CC. t. 2. p. 1269 d.).... Non videtur clericos eorum [Arianorum] cum sacerdotii aut ministerii cujuspiam suscipi debere dignitate; quoniam iis [al. quibus] solum baptisma ratum esse permittimus, quod utique

they were not to be admitted with their honours in the Catholic Church; though their baptism might stand good, being administered in the name of the Father, and of the Son, and of the Holy Ghost.' In another place[1] he says, it was the ancient rule of the Church of Rome to cancel and disannul all such ordinations; though in some places, he owns[2], they were allowed: for 'Anisius, bishop of Thessalonica, with a Council of his provincial bishops, agreed to receive those, whom Bonosus, an heretical bishop of Macedonia, had ordained; that they might not continue to strengthen his party, and thereby bring no small damage upon the Church.' Liberius not only admitted the Macedonian bishops to communion, but also allowed them to continue in their office, upon their subscription to the Nicene Creed, and abjuration of their former heresy; as Socrates[3], and Sozomen[4], and St. Basil[5], and others testify. In France the custom was, in the time of Clodoveus, to give a new imposition of hands to the Arian clergy that returned to the Catholic faith, as appears from the first Council of Orleans[6], which made a decree about it. But that

in nomine Patris, et Filii, et Spiritus Sancti perficitur, &c.

[1] Ep. 22. ad Episc. Macedon. c. 5. (ibid. p. 1274 c.) Anisii quondam fratris nostri, aliorumque consacerdotum summa deliberatio hæc fuit, ut quos Bonosus ordinaverat, ne cum eodem remanerent, ac, ne fieret [al. ac fieret non] mediocre scandalum, ordinati reciperentur.... Jam ergo quod pro remedio ac necessitate temporis statutum est, constat primitus non fuisse.

[2] [Bonosus is called bishop of Macedonia, not because he was of the province of Macedonia, but of the larger district called the diocese of Macedonia, in the Notitiæ of the Empire and the Church. Learned men were a long time at a loss to tell what see he was bishop of. Baronius and Petavius profess themselves entirely ignorant of it; Christianus Lupus says he was bishop of Sirmium; but since Garnerius published the works of Marius Mercator, it appears that he was bishop of Sardica: for Mercator gives him the title of Bonosus Sardicen*sis*. Ed.]

[3] L. 4. c. 12. (v. 2. p. 224. 10.) Ὁ δὲ [Λιβέριος] αὐτοὺς προσδέξασθαι οὐδαμῶς ἐβούλετο, κ. τ. λ.

[4] L. 6. c. 10. (ibid. p. 231. 36.) Ἀποκηρύττουσι .... πᾶσαν αἵρεσιν ἐναντιουμένην τῇ πίστει τῆς ἐν Νικαίᾳ συνόδου .... ὡς δὲ τούτων ἔγγραφον ὁμολογίαν αὐτῶν ἔλαβε Λιβέριος, ἐκοινώνησεν αὐτοῖς.

[5] Ep. 74. [al. 263.] ad Episc. Occident. (t. 3. part. 2. p. 588 c. n. 2.) Καὶ οὕτως ἀπελαθεὶς τῆς ἐπισκοπῆς, διὰ τὸ ἐν [τῇ] Μελιτινῇ προκαθηρῆσθαι, ὁδὸν ἑαυτῷ τῆς ἀποκαταστάσεως ἐπενόησε, τὴν εἰς [al. ὡς] ὑμᾶς ἄφιξιν· καὶ τίνα μὲν ἔστιν, ἃ προετάθη αὐτῷ παρὰ τοῦ μακαριωτάτου ἐπισκόπου Λιβερίου· τίνα δὲ, ἃ αὐτὸς συνέθετο, ἀγνοοῦμεν· πλὴν ὅτι ἐπιστολὴν ἐκόμισεν ἀποκαθιστῶσαν αὐτὸν, ἣν ἐπιδείξας τῇ κατὰ Τύανα συνόδῳ, ἀποκατέστη τῷ τόπῳ.

[6] C. 10. (t. 4. p. 1406 d.) De hæreticis clericis, qui ad fidem catholicam plena fide ac voluntate venerint .... id censuimus observari, ut si clerici fideliter convertuntur, et fidem catholicam integre confitentur, vel ita dignam vitam morum et

perhaps does not mean a new ordination, but only such a reconciliatory imposition of hands, as was used to be given to penitents in absolution. But if otherwise, it proves that the Church had different methods of proceeding in this case, as she judged it most expedient and beneficial for her service; sometimes reversing and disannulling the ordinations of heretics for discipline's sake, and to shew her resentments of their errors; and sometimes allowing them to stand good for her own sake, to prevent greater scandals, and to encourage the straying people to return with their leaders to the unity of the Catholic faith. Upon which account the general Council of Ephesus[7] made an order concerning the Massalian heretics, otherwise called Euchites and enthusiasts, 'that if any of their clergy would return to the Church, and in writing anathematize their former errors, they should continue in the same station they were in before; otherwise they should be degraded, and enjoy neither clerical promotion nor communion in the Church.' The Council of Nice[8] is thought to have made the like decree in favour of the Novatian clergy, only giving them a reconciliatory imposition of hands by way of absolution, not re-ordination. And there is nothing more certain, than that the African fathers so treated the Donatists. Particularly St. Austin, in all his writings, pleads as much for the validity of heretical ordinations as heretical baptism; and says further[9], 'that when the Church judged it expedient not to suffer the Donatist bishops to officiate upon their return to the

actuum probitate custodiunt, officium, quo eos episcopus dignos esse censuerit, cum impositæ manus benedictione suscipiant.

[7] Act. 7. Decret. cont. Messalianitas. (t. 3. p. 809 b. c.) Placuit .... ut omnes, qui per universam provinciam hæretici Messaliani vel Enthusiastæ sunt, vel de ejus hæreseos morbo suspecti, sive clerici sive laici sint, conveniantur: et si quidem anathematizaverint, juxta ea quæ in prædicta synodo scripto pronuntiata sunt, in scriptis; si clerici fuerint, maneant clerici; si laici, ad communionem admittantur. Quod si renuerint anathematizare; si presbyteri vel diaconi fuerint, vel in alio quopiam gradu ecclesiæ, excidant et a clero, et a gradu, et a communione: laici vero anathematizentur.

[8] C. 8. (t. 2. p. 32 e.) Περὶ τῶν ὀνομαζόντων μὲν ἑαυτοὺς Καθαρούς ποτε, προσερχομένων δὲ τῇ καθολικῇ ἐκκλησίᾳ, ἔδοξε τῇ ἁγίᾳ καὶ μεγάλῃ συνόδῳ, ὥστε χειροθετουμένους αὐτοὺς μένειν οὕτως ἐν τῷ κλήρῳ.

[9] Cont. Parmen. l. 2. c. 13. (t. 9. p. 44 c.).... Et cum expedire hoc judicatur ecclesiæ, ut præpositi eorum venientes ad catholicam societatem, honores suos ibi non administrent; non eis tamen ipsa ordinationis sacramenta detrahuntur, sed manent super eos.

Church, she did not thereby intend to deny the reality or validity of their ordination, but supposed that to remain still perfect and entire in them.' And this is what St. Austin meant by *the sacrament of ordination*, as he words it, or the indelible character, which was thereby imprinted; that though a man turned apostate, or was suspended or deprived for any crime, yet, if upon his repentance and satisfaction the Church thought fit to admit him to officiate again, there was no necessity of giving him a new ordination, no more than a new baptism, for the character of both remained entire. This was the doctrine and practice of the African Church, and most others, in the time of St. Austin.

[P. S. On the word *Sicona* or *Sicina*, s. 9. p. 87, in connection with n. 37. The author's original edition has *Sicona*, which is repeated in the folio reprint of 1726, and in other more recent editions. *Sicina*, which Grischovius employs in his Latin version, seems more in accordance with the Greek of Socrates, who calls the place where Damasus was said to have been ordained Σικίνη. I have taken great pains to find some explanation or recognition of this latter term, but without success; no Lexicon, or Glossary, or Commentator affording me any information as to what this *basilica* or *hall* was, or why it was called Σικίνη. I presume it was some public building, or court-house, or council-room at Rome, and known to the contemporaries of the historian by a name as familiar then as now it is obscure. The anonymous translator of Socrates (Bagster, Lond. 1844, 8vo. p. 350.) calls it *the palace of Sicinius*, for which rendering he very quietly gives us *no authority*. Truly it reads well enough in English, but is no fair version of the Greek. The historian too is speaking of a sort of *Nag's-Head-ordination*, which my learned ancestor implies was the very point against Ursinus, or *Ursicinus*. Perhaps the term *Sicinii*, which is Valesius's translation of Σικίνης, and is repeated by Reading, Cantabr. 1720, may have led the Editor of Mr. Bagster's publication astray. But see the *Vita Damasi, ap. Labb.* (*CC. t. 2. p.* 859 *c.*) where we read .. *Et sic constitutus est Damasus, et Ursicinum ejecerunt ab urbe, et constituerunt eum Neapoli episcopum.* Binius, in his *not. ad loc.*, says .... *Pars adversa, aliquanto tempore post, Ursicinum pseudopontificem creat, atque basilicam Sicinii occupat.* This throws some light on the doubtful term, and might justify a translator in rendering the passage by *the hall of Sicinius*, which was not a church, but a public edifice and place of business. Ed.]

BOOK V.

OF THE PRIVILEGES, IMMUNITIES, AND REVENUES OF THE CLERGY IN THE PRIMITIVE CHURCH.

CHAP. I.

Some instances of respect, which the clergy paid mutually to one another.

The clergy obliged to give entertainment to their brethren travelling upon necessary occasions.

1. HAVING thus far discoursed of the necessary qualifications of the clergy, and the several customs observed in the designation of them to the ministerial office; it will be proper in the next place to speak of the respect and honour that was generally paid them upon the account of their office. Under which head I shall comprise whatever relates to the privileges, exemptions, immunities, and revenues of the ancient clergy. Some particular marks of honour, as they were peculiar to this or that order, have already been mentioned in speaking of those orders; but now I shall treat of those which were more universal and common to all orders. And here it will not be amiss in the first place to say something of that *courteous treatment and friendship*, wherewith the clergy of the ancient Church were obliged to receive and embrace one another. Two or three instances of which it will be sufficient to observe at present. First, that wherever they travelled upon necessary occasions, they were to be entertained by their brethren of the clergy in all places, out of the public revenues of the Church; and it was a sort of crime for a bishop or other clerk to refuse the hospitality of the Church, and take it from any other. The historians, Socrates[10] and Sozomen[11], tacitly

[10] L. 6. c. 12. (v. 2. p. 327. 26.) .... Τὸν μὲν προτροπὴν Ἰωάννου ἐξέκλινε, Θεοφίλῳ χαριζόμενος, ἐν ἰδιαζούσῃ δὲ καταλύει μονῇ.

[11] L. 8. c. 14. (ibid. p. 344. 1.) Ὁ δὲ Ἰωάννης εἰσιόντα αὐτὸν, τῇ

reflect upon Epiphanius for an action of this nature, 'that when he came to Constantinople, where Chrysostom shewed him all imaginable respect and honour, sending his clergy out to meet him, and inviting him to an apartment, according to custom in his house, he refused the civility, and took up his habitation in a separate mansion.' This was interpreted the same thing as breaking Catholic communion with him, as it proved in effect, for he came on purpose, by the instigations of Theophilus, bishop of Alexandria, to form an accusation against him. On the other hand, to deny any of the clergy the hospitality of the Church, upon such occasions, was a more unpardonable crime, and looked upon as the rudest way of denying communion. Therefore Firmilian[12] smartly reproves the behaviour of Pope Stephen, both as insolent and unchristian, towards the African bishops, who were sent as legates from their Churches to him, 'that he neither admitted them to audience himself, nor suffered any of the brethren to receive them to his house; so not only denying them the peace and communion of the Church, but the civility of Christian entertainment also.' Which was so much the greater despite and affront to them, because every private Christian, travelling with letters of credence from his own Church, might have challenged that privilege upon the 'contesseration of hospitality,' as Tertullian[13] words it, and much more the bishops and clergy from one another. By the laws of the African Church, every bishop that went as legate of a provincial synod to that which they called a general or plenary synod, was to be provided of all things necessary in his travels from this liberality of the Church; as appears from a canon in the third Council of Carthage, which orders[14], 'that no province should send above two or three legates, that so they might appear

ὑπαντήσει τοῦ παντὸς κλήρου ἐτίμησεν. Ἐπιφάνιος δὲ δῆλος ἦν εἰξας ταῖς κατ' αὐτοῦ διαβολαῖς· προτραπεὶς γὰρ ἐν οἰκήμασιν ἐκκλησιαστικοῖς καταμένειν, οὐκ ἠνέσχετο.

[12] Ep. 75. ap. Cypr. p. 228. (p. 327.).... Ut venientibus non solum pax et communio, sed et tectum et hospitium negaretur.

[13] De Præscript. c. 20. (p. 209 a.) Communicatio pacis et appellatio fraternitatis et contesseratio hospitalitatis, &c. [Semler (v. 2. p. 19.) reads *contestatio*. Ed.]

[14] C. 2. (t. 2. p. 1167 c.) Placuit, ut propter causas ecclesiasticas, quæ ad perniciem plebium sæpe veterascunt, singulis quibusque annis concilium convocetur. Ad quod omnes provinciæ, quæ primas sedes habent, de conciliis suis ternos legatos mittant, ut et minus invidiosi minusque hospitibus sumtuosi conventus plena possit esse auctoritas.

with less pomp and envy, and be less charge to their entertainers.' This implies that every Church was obliged, by custom at least, to give them entertainment in their passage.

And to give them the honorary privilege of consecrating the eucharist in the church.

2. Another instance of customary respect which the clergy were obliged to shew to one another was, that when any bishop or presbyter came to a foreign Church, they were to be complimented with the honorary privilege of *performing divine offices, and consecrating the eucharist in the church.* This was a very ancient custom, as appears from what Irenæus says of Anicetus, bishop of Rome, that when Polycarp came to settle the paschal controversy with him[15], *παρεχώρησεν τὴν εὐχαριστίαν τῷ Πολυκάρπῳ,* which does not barely signify *he gave him the eucharist,* as the first translators of Eusebius render it, but *he gave place to him,* or *liberty to consecrate the eucharist in his church.* The Council of Arles[16], which turned this custom into a law, uses the very same expression about it, 'that in every church they should give place to the bishop, that was a stranger, to offer the oblation or sacrifice.' And the fourth Council of Carthage[17] more plainly, 'that a bishop or presbyter visiting another church shall be received each in their own degree, and be invited to preach and consecrate the oblation.' So they were to be admitted to all the honours which the Church could shew them, the bishop was to seat his fellow-bishop in the same throne with himself, and the presbyters to do the same by their fellow-presbyters. For that the canon means by *receiving them in their own degree.* Which custom is referred to by the Catholic bishops in the Collation of Carthage[18], where they promise the Donatist bishops, 'that if they would return to the Church, they should be treated by them as fellow-bishops, and sit upon the same

[15] Ep. ad Victor. ap. Euseb. l. 5. c. 24. (v. 1. p. 249. 10.) *Τούτων οὕτως ἐχόντων ἐκοινώνησαν ἑαυτοῖς· καὶ ἐν τῇ ἐκκλησίᾳ παρεχώρησεν ὁ Ἀνίκητος τὴν εὐχαριστίαν τῷ Πολυκάρπῳ κατ' ἐντροπὴν δηλονότι, καὶ μετ' εἰρήνης ἀπ' ἀλλήλων ἀπηλλάγησαν, κ. τ. λ.*

[16] Arelat. 1. c. 20. [al. 19.] Ut peregrino episcopo locus sacrificandi detur. [Labbe (t. 1. p. 1427 b.) reads the canon thus,—De episcopis peregrinis, qui in urbem solent venire, placuit iis locum dari ut offerant. Ed.]

[17] C. 33. (t. 2. p. 1203 a.) Ut episcopi vel presbyteri, si causa visendæ [al. visitandæ] ecclesiæ alterius episcopi, ad ecclesiam venerint, et in gradu suo suscipiantur, et tam ad verbum faciendum, quam ad oblationem consecrandam, invitentur.

[18] Die 1. c. 16. (ibid. p. 1352 d.) Sicut peregrino episcopo juxta considente collega.

thrones with them, as strangers were used to do.' The author of the Constitutions joins all these things together, saying[19], 'Let the bishop that is a stranger sit with the bishop and be invited to preach, let him also be permitted to offer the eucharist, or if in modesty he refuses it, let him at least be constrained to give the blessing to the people.'

The use of the *literæ formatæ*, or *commendatory letters*, in this respect.

3. But then it is to be observed, that these honours were not to be shewed to strangers as mere strangers, but as they could some ways give proof of their orthodoxy and catholicism to the church to which they came. And in this respect the *literæ systaticæ*, or *commendatory letters*, as they called them, were of great use and service in the Church. For no strange clergyman was to be admitted so much as to communicate, much less to officiate, without these letters of his bishop, in any church where he was a perfect stranger, for fear of surreptitious or passive communion, as the Canons[20] call it. And bishops were under the same obligations to take the letters of their metropolitan, if they had occasion to travel into a foreign country, where they could not otherwise be known. The third Council of Carthage has a canon[21] to this purpose, 'that no bishop should go beyond sea without consulting the primate of his province, that he might have his *formatæ* or *letters of commendation*. And that the same discipline was observed in all Churches, seems clear from one of those canons of the Greek Church, among those which go by the name of Apostolical[22], which says, 'No strange bishops, presbyters, or deacons shall

[19] [L. 2. c. 58. (Cotel. v. 1. p. 266.) Εἴ δέ τις ἀπὸ παροικίας ἀδελφὸς..... ἐπέλθῃ .... εἰ ἐπίσκοπος σὺν τῷ ἐπισκόπῳ καθεζέσθω τῆς αὐτῆς ἀξιούμενος ὑπ' αὐτοῦ τιμῆς, καὶ ἐρωτήσεις αὐτὸν, ὦ ἐπίσκοπε, προσλαλῆσαι τῷ λαῷ λόγους διδακτικούς.... ἐπιτρέψεις δ' αὐτῷ καὶ τὴν εὐχαριστίαν ἀνοῖσαι· ἐὰν δὲ δι' εὐλάβειαν .... μὴ θελήσῃ ἀνενέγκαι· κἂν εἰς τὸν λαὸν εὐλογίαν αὐτὸν ποιήσασθαι καταναγκάσεις. *Grischov.*]

[20] Vid. C. Carth. 1. c. 7. (t. 2. p. 616 [corrige, 716] b.) Clericus vel laicus non communicet in aliena plebe sine literis episcopi sui..... nisi hoc observatum fuerit, communio fiet passiva.—C. Laodic. c. 41. (t. 1. p. 1504 d.) Ὅτι οὐ δεῖ ἱεραρικὸν ἢ κληρικὸν ἄνευ κανονικῶν γραμμάτων ὁδεύειν.—*C. Antioch. c. 7.* (t. 2. p. 564 e.) Μηδένα ἄνευ εἰρηνικῶν δέχεσθαι τῶν ξένων.—C. Agathens. c. 38. (t. 4. p. 1389 d.) Clericis sine commendatitiis epistolis episcopi sui licentia non pateat evagandi.—C. Chalced. c. 11. (ibid. p. 762 a.) Πάντας τοὺς πένητας καὶ δεομένους ἐπικουρίας, μετὰ δοκιμασίας, ἐπιστολίοις, εἴτουν εἰρηνικοῖς ἐκκλησιαστικοῖς μόνοις ὡρίσαμεν ὁδεύειν, καὶ μὴ συστατικοῖς· διὰ τὸ τὰς συστατικὰς ἐπιστολὰς προσήκειν τοῖς οὖσι μόνοις ἐν ὑπολήψει παρέχεσθαι προσώποις.

[21] C. 28. (t. 2. p. 1171 c.) Placuit ut episcopi trans mare non proficiscantur, nisi consulto primæ sedis episcopo, ut ab episcopo præcipue [leg. præcipuo] possint sumere formatam [vel commendationem.]

[22] C. Apost. 11. [al. 32.] (Cotel.

be received ἄνευ συστατικῶν, ***unless they bring commendatory letters with them;*** but without them, they shall only be provided of necessaries, and not be admitted to communicate, because many things are surreptitiously obtained.' The translation of Dionysius Exiguus indeed denies them necessaries also; but that is a manifest corruption of the Greek text, which allows them to communicate in outward good things, but not in the communion of the Church. And this is what some think the ancients meant by *communio peregrina, the communion of strangers;* when such as travelled without letters of credence were hospitably entertained and provided of sustenance, but not admitted to participate of the eucharist, because they had no testimonials of their life and conversation. But others give a different account of this, which I shall more nicely examine when I come to speak of the discipline of the Church, under which head the *communio peregrina* will come to be considered as a species of ecclesiastical censure.

The clergy obliged to end all their own controversies among themselves.

4. A third instance of respect which the clergy shewed to one another was, that if any *controversies* happened among themselves, they freely consented to have them *determined by their bishops and councils*, without having recourse to the secular magistrate for justice. Bishops, as I have had occasion to shew before[23], were anciently authorized by the imperial laws to hear and determine secular pecuniary causes, even among laymen, when both the litigants would agree upon compromise to take them for arbitrators. But among the clergy there needed no such particular compromise; for by the rules and canons of the Church they were brought under a general obligation not to molest one another before a secular magistrate, but to end all their controversies under the cognizance of an ecclesiastical tribunal. The case was somewhat different when a layman and a clergyman had occasion to go to law together; for then the layman was at liberty to choose

[c. 26.] v. 1. p. 441.) Μηδένα τῶν ξένων ἐπισκόπων, ἢ πρεσβυτέρων, ἢ διακόνων ἄνευ συστατικῶν [γραμμάτων] προσδέχεσθαι· [al. προσδέχεσθε·] καὶ ἐπιφερομένων [δὲ] αὐτῶν, ἀνακρινέσθωσαν· [καὶ ἐὰν μὲν ὦσι κήρυκες τῆς εὐσεβείας, προσδεχέσθωσαν· Cotel.] εἰ δὲ μήγε, τὴν χρείαν [al. τὰ πρὸς τὰς χρείας] αὐτοῖς ἐπιχορηγήσαντες* εἰς κοινωνίαν αὐτοὺς μὴ προσδέξησθε· πολλὰ γὰρ κατὰ συναρπαγὴν γίνεται.

[23] B. 2. ch. 7. v. 1. p. 105.

* [Juxt. Vers. Dionys. Exig. c. 34. (ap. Cotel. ibid.).... Nec quæ sunt necessaria subministrentur eis, et ad communiorum nullatenus admittantur, &c. Ed.]

his court, and was not obliged to refer his cause to any ecclesiastical judge, unless by compromise he brought himself under such an obligation. For so the imperial laws[24] in this case had provided. Though in France in the time of the Gothic kings it was otherwise, for laymen there were not to sue a clerk in a secular court without the bishop's permission; as appears from a canon of the Council of Agde[25], made under Alaric, anno 506, which equally forbids a clergyman to sue a layman in a secular court, or to answer to any action brought against him there, without the bishop's permission. But whatever difference there was betwixt the Roman and Gothic laws in this particular, it is evident, that as to any controversies arising among the clergy themselves, they were to be determined before ecclesiastical judges; as appears from a canon of the Council of Chalcedon[26], which is in these words: 'If any clergyman hath a controversy with another, he shall not leave his own bishop and betake himself to any secular court, but first have a hearing before his own bishop, or such arbitrators as both parties should choose with the bishop's approbation: otherwise he should be liable to canonical censure.' Which censure in the African Church was the loss of his place, whether he were bishop, presbyter, or deacon, or any other inferior clerk, that declined the sentence of an ecclesiastical court, either in a civil or criminal cause, and betook himself to a secular court for justice. Though he carried his cause, and sentence were given on his side in a criminal action, yet he was to be deposed; or if it was a civil cause, he must lose whatever advantage he gained by the action, as the third Council of Carthage[27] in this case determined: because he

[24] Valentin. Novel. 12. ad calc. Cod. Theod. (t. 6. append. p. 26.) In clerico petitore consequens erit, ut secundum leges pulsati forum sequatur, si adversarius suus ad episcopi vel presbyteri audientiam non præstat adsensum.

[25] C. 32. (t. 4. p. 1388 d.) Clericus ne quenquam præsumat apud sæcularem judicem, episcopo non permittente, pulsare. Sed si pulsatus fuerit, non respondeat, nec proponat, [al. respondeat, non proponat,] nec audeat criminale negotium in judicio sæculari proponere.

[26] C. 9. (ibid. p. 759 c.) Εἴ τις κληρικὸς πρὸς κληρικὸν πρᾶγμα ἔχοι, μὴ καταλιμπανέτω τὸν οἰκεῖον ἐπίσκοπον, καὶ ἐπὶ κοσμικὰ δικαστήρια κατατρεχέτω· ἀλλὰ πρότερον τὴν ὑπόθεσιν γυμναζέτω παρὰ τῷ ἰδίῳ ἐπισκόπῳ, ἢ γοῦν γνώμῃ αὐτοῦ τοῦ ἐπισκόπου, παρ' οἷς τὰ ἀμφότερα μέρη βούλεται, τὰ τῆς δίκης συγκροτείσθω. εἰ δέ τις παρὰ ταῦτα ποιήσει, κανονικοῖς ὑποκείσθω ἐπιτιμίοις.

[27] C. 9. (t. 2. p. 1168 e.) Placuit ut quisquis episcoporum, presbyte-

despised the whole Church, in that he could not confide in any ecclesiastical persons to be his judges. Many other Councils determined the same thing, as that of Vannes[28], Chalons[29], and Mascon[30]. And the Council of Milevis decreed[31], 'that no one should petition the emperor to assign him secular judges, but only ecclesiastical, under pain of deprivation.' So great confidence did the clergy generally place in one another, and pay such a deference to the wisdom, integrity, and judgment of their brethren, that it was then thought they had no need to have recourse to secular courts for justice, but they were willing to determine all controversies of their own among themselves. And as the imperial laws did not hinder this, but encouraged it, so we seldom find any ecclesiastics inclined to oppose it, but either some factious and turbulent men, or such whose crimes had made them so obnoxious that they had reason to dread an ecclesiastical censure.

hat care s taken receiving cusations ainst the ishops and rgy of e Church.

5. I shall but observe one thing more upon this head, which is the great care the clergy had of *the reputation and character* of one another; which being a sacred and necessary thing in persons of their function, they did not think fit to let it be ex-

rorum, et diaconorum, seu clericorum, cum in ecclesia ei crimen fuerit intentatum, vel civilis causa fuerit commota, si [de]relicto ecclesiastico judicio publicis judiciis purgari voluerit, etiamsi pro ipso prolata fuerit sententia, locum suum amittat, et hoc in criminali actione [al. judicio]. In civili vero perdat, quod evicerit [al. evicit,] si locum suum obtinere maluerit, [al. voluerit,] &c.

[28] C. 9. (t. 4. p. 1056 a.) Clericis, nisi ex permissu episcoporum suorum, sæcularia judicia adire non liceat.

[29] Cabillon. 1. c. 11. (t. 6. p. 389 e.) Pervenit ad sanctam synodum, quod judices publici contra veternam consuetudinem per omnes parochias, vel monasteria, quæ mos est episcopis circuire, ipsi illicita præsumptione videantur discurrere; etiam et clericos vel abbates, ut eis præparent, invitos atque districtos ante se faciant exhiberi: quod omnimodis nec religioni convenit, nec canonum permittit auctoritas. Unde omnes unanimiter censuimus sentientes, ut deinceps ista debeant emendare: et si præsumptione, vel potestate qua pollent, excepta invitatione abbatis vel archipresbyteri, in ipsa monasteria vel parochias aliquid fortasse præsumpserint, a communione omnium sacerdotum eos convenit sequestrari.

[30] C. 5. [al. 8.] (t. 5. p. 968 c.) Ut nullus clericus ad judicem sæcularem quemcumque alium fratrem de clericis accusare, aut ad causam dicendam trahere quocumque modo præsumat; sed omne negotium clericorum, aut in episcopi sui, aut in presbyterorum, vel archidiaconi præsentia finiatur. Quod si quicumque clericus hoc implere distulerit, si junior fuerit, uno minus de quadraginta ictus accipiat; sin certe honoratior, triginta dierum conclusione multetur.

[31] C. 19. (t. 2. p. 1542 a.) Placuit ut quicunque ab imperatore cognitionem judiciorum publicorum petierit, honore proprio privetur. Si autem episcopale judicium ab imperatore postulaverit, nihil ei obsit.

posed to the malicious calumnies and slanders of every base and false accuser. But first in all accusations, especially against bishops, the testimony of two or three witnesses was required according to the rule of the Apostle. Therefore, when the Synod of Antioch proceeded to condemn Eustathius, bishop of Antioch, upon a single testimony, the historian[32] censures it as an arbitrary proceeding in them against that apostolical canon, "Receive not an accusation against an elder, but before two or three witnesses." Secondly, the character of the witnesses was to be examined, before their testimony was to be allowed of. An heretic was not to give evidence against a bishop; as may be collected from those canons which bear the name of the Apostles, one of which[33] joins these two things together; 'Receive not an heretic to testify against a bishop; nor a single witness, though he be one of the faithful; for the Law saith, "In the mouth of two or three witnesses shall every word be established."' Athanasius[34] pleaded the privilege of this law, when he was accused for suffering Macarius, his presbyter, to break the communion cup; he urged, 'that his accusers were Meletians, who ought not to be credited, being schismatics and enemies of the Church.' By the second Council of Carthage[35], not only heretics, but any others that were known to be guilty of scandalous crimes were to be rejected from giving testimony against any elder of the Church. The first

[32] Theodor. l. 1. c. 21. (v. 3. p. 53. 2.) Ἐκείνης μηδένα σχεῖν μάρτυρα τῆς κατηγορίας λεγούσης, ὅρκον προὔτειναν οἱ δικαιότατοι δικασταί· καίτοι τοῦ νόμου διαρρήδην βοῶντος, ἐπὶ δύο καὶ τριῶν μαρτύρων εἶναι βέβαια τὰ λεγόμενα· καὶ ἄντικρυς τοῦ Ἀποστόλου κελεύοντος, μὴ δὲ κατὰ πρεσβυτέρου γινομένην γραφὴν δίχα δύο ἢ τριῶν μαρτύρων προσδέχεσθαι· ἀλλὰ τῶν θείων οὗτοι νόμων καταφρονήσαντες, ἀμάρτυρον κατ' ἀνδρὸς τοσούτου κατηγορίαν ἐδέξαντο· ἐπειδὴ δὲ οἷς εἶπεν ἐκείνη τὸν ὅρκον προστέθεικε, βοῶσα ἢ μὴν Εὐσταθίου τὸ βρέφος εἶναι, ὡς κατὰ μοιχοῦ λοιπὸν οἱ φιλαλήθεις τὴν ψῆφον ἐξήνεγκαν, κ. τ. λ.

[33] C. 75. [al. 74.] (Cotel. [c. 67.] v. 1. p. 440.) Εἰς μαρτυρίαν τὴν κατ' ἐπισκόπου αἱρετικὸν μὴ προσδέχεσθαι, ἀλλὰ μηδὲ πιστῶν ἕνα μόνον· ἐπὶ στόματος γὰρ δύο ἢ τριῶν μαρτύρων σταθήσεται πᾶν ῥῆμα.

[34] Apol. ad Constant. t. 1. p. 731. (t. 1. part. 1. p. 234 b.) Προσθήκη δὲ πρὸς φανερὰν ἀπόδειξιν, εἰ καταξιώσειας μαθεῖν, ὅτι παρόντων μὲν ἡμῶν, οὐδὲν ἀπέδειξαν οἱ κατηγοροῦντες κατὰ Μακαρίου τοῦ πρεσβυτέρου· ἀπόντων δὲ ἡμῶν, κατὰ μόνας ἔπραξαν ἅπερ ἐθέλησαν· τὰ δὲ τοιαῦτα προηγουμένως μὲν ὁ θεῖος νόμος, ἔπειτα δὲ καὶ ἡμέτεροι νόμοι μηδεμίαν ἔχειν δύναμιν ἀπεφήναντο.

[35] C. 6. (t. 2. p. 1160 e.) Placet .... ut is, qui aliquibus sceleribus irretitus est, vocem adversus majores natu non habeat accusandi.—[Conf. Cod. Eccles. Afric. c. 8. (ibid. p. 1054 b.) Ἀρέσκει .... τοὺς εἴς τινα μίσῃ [al. μύσῃ] ἐμπεπλεγμένους κατὰ πατέρων φωνὴν κατηγορίας ἀποτίθεσθαι. Ed.]

general Council of Constantinople[36] distinguishes the causes upon which an accusation might be brought against a bishop; for a man might have a private cause of complaint against him, as that he was defrauded in his property, or in any the like case injured by him; in which case his accusation was to be heard, without considering at all the quality of the person or his religion. For a bishop was to keep a good conscience, and any man that complained of being injured by him was to have justice done him whatever religion he was of. But 'if the crime was purely ecclesiastical which was alleged against him, then the personal qualities of the accusers were to be examined; so that no heretics should be allowed to accuse orthodox bishops in causes ecclesiastical, nor any excommunicate persons before they had first made satisfaction for their own crimes; nor any who were impeached of crimes of which they had not proved themselves innocent.' The Council of Chalcedon adds[37], 'that no clergyman or layman should be admitted to impeach a bishop or a clerk, till his own reputation and character were first inquired into and fully examined.' So careful were they in this matter not to expose the credit of the clergy to the malicious designs or wicked conspiracies of any profligate wretches whom malice or bribery might induce to accuse them. Thirdly, in case of false accusation, whether public or private, the penalty against the offender was very severe. 'If any clergyman,' says one of the Apostolical Canons[38], 'unjustly reproach a bishop, he shall be deposed; for it is written, "Thou shalt not speak evil of the ruler of thy people."' And, by a canon of the Council of Eliberis[39], for any

[36] C. 6. (ibid. t. 950 b.) *Εἰ δὲ ἐκκλησιαστικὸν εἴη τὸ ἐπιφερόμενον ἔγκλημα τῷ ἐπισκόπῳ, τότε δοκιμάζεσθαι χρὴ τῶν κατηγορούντων τὰ πρόσωπα· ἵνα πρῶτον μὲν αἱρετικοῖς μὴ ἐξῇ κατηγορίας κατὰ τῶν ὀρθοδόξων ἐπισκόπων ὑπὲρ ἐκκλησιαστικῶν πραγμάτων ποιεῖσθαι· .... ἔπειτα δὲ καὶ εἴ τινες τῶν ἀπὸ τῆς ἐκκλησίας ἐπὶ αἰτίαις τισὶ προκατεγνωσμένοι εἶεν καὶ ἀποβεβλημένοι, ἢ ἀκοινώνητοι ..... μηδὲ τούτοις ἐξεῖναι κατηγορεῖν ἐπισκόπου, πρὶν ἂν τὸ οἰκεῖον ἔγκλημα πρότερον ἀποδύσωνται· ὁμοίως δὲ καὶ τοὺς ὑπὸ κατηγορίαν προλαβοῦσαν ὄντας, μὴ πρότερον εἶναι δεκτοὺς εἰς ἐπισκόπου κατηγορίαν, ἢ ἑτέρων κληρικῶν, πρὶν ἂν ἀθῴους ἑαυτοὺς τῶν ἐπαχθέντων αὐτοῖς ἀποδείξωσιν ἐγκλημάτων.*

[37] C. 21. (t. 4. p. 766 c.) *Κληρικοὺς, ἢ λαικοὺς, κατηγοροῦντας ἐπισκόπων, ἢ κληρικῶν, ἁπλῶς καὶ ἀδοκιμάστως μὴ προσδέχεσθαι, εἰ μὴ πρότερον ἐξετασθῇ αὐτῶν ἡ ὑπόληψις.*

[38] C. 47 [al. 55.] (Cotel. v. 1. p. 445.) *Εἴ τις κληρικὸς ὑβρίζει τὸν ἐπίσκοπον, καθαιρείσθω· ἄρχοντα γὰρ τοῦ λαοῦ σοῦ οὐκ ἐρεῖς κακῶς.* [Cotel. *ὑβρίσει τὸν ἐπίσκοπον ἀδίκως.*]

[39] C. 75. (ibid. p. 978 d.) Si quis

man to charge a bishop, presbyter, or deacon with a false crime which he could not make good against them, was excommunication without hopes of reconciliation at the hour of death. Which was the usual penalty that was inflicted by that Council upon very great and notorious offenders; for which some have censured the Spanish Church as guilty of Novatianism, but without reason, as I shall shew when I come to discourse of the discipline of the Church. Here it may be sufficient to observe, that they thought this crime one of the first magnitude, since they refused to give the external peace of the Church to such offenders, even at their last hour.

Many other instances of the like respect might here be added, but by these few the reader will be able to judge with what candour and civility the clergy of the primitive Church were obliged to receive and treat one another. And it would have been happy for all ages, had they walked in the same steps, and copied after so good an example.

CHAP. II.

Instances of respect shewed to the clergy by the civil government. Particularly of their exemption from the cognizance of the secular courts in ecclesiastical causes.

1. NEXT to the respect which the clergy shewed to one another, it will be proper to speak of *the honours which were done them by the civil magistrates;* which were more or less, according as either the inclination and piety of the emperors led them, or as the state of the times required. These honours chiefly consisted in exempting them from some sort of obligations to which others were liable, and in granting them certain privileges and immunities which others did not enjoy. Of this kind was that instance of respect which, by the laws of Justinian[40], was granted to all bishops, 'that no secular judge should compel them to appear in a public court to give their testimony before him, but he should send one of his officers to

Bishops not to be called into any secular court to give their testimony

episcopum, presbyterum, vel diaconum falsis criminibus appetierit, et probare non potuerit, nec in fine dandam ei communionem.

Nulli vero judicum licebit Deo amabiles episcopos cogere ad judicium venire pro exhibendo testimonio; sed judex mittat ad eos quosdam ex personis ministrantium sibi, &c.

[40] Novel. 123. c. 7. (t. 5. p. 544.)

take it from their mouths in private.' This law is also repeated in the Justinian Code[41], and there said to be enacted first by Theodosius the Great, a law of whose is still extant in the same words in the Theodosian Code[42]. But Gothofred will have it, that this law, as first enacted by Theodosius, meant no more than to exempt the clergy from being bound to give an account to the civil magistrates of what judgments or sentences they passed upon any secular causes that were referred to their arbitration. And indeed it is evident that the law-terms, *ad testimonium devocari* and *εἰς μαρτυρίαν ἐπικαλεῖσθαι*, are taken in this sense by the African fathers in the fifth Council of Carthage, where it was agreed[43] 'to petition the emperors to make a decree, that, if any persons referred a civil cause to the arbitration of the Church, and one of the parties chanced to be displeased with the decision or sentence that was given against him, it should not be lawful to draw the clergyman, who was judge in the cause, into any secular court, to make him give any testimony or account of his determination.' This was not intended to exempt clergymen in general from being called to be witnesses in a secular court, but only to free them from the prosecutions of vexatious and troublesome men, who, when they had chosen them for their arbitrators, would not stand to their arbitration, but prosecuted them in the civil courts, as if they had given a partial sentence against them. And though it was contrary to the law to give them any such

[41] L. 1. tit. 3. de Episc. leg. 7. (t. 4. p. 75.) Imperator Theodosius dixit, Nec honore, nec legibus episcopus ad testimonium dicendum flagitetur.

[42] L. 11. tit. 39. de Fide Testium, leg. 8. (t. 4. p. 327.) In consistorio Imp. Theod. A. dixit: Episcopus, &c.

[43] C. 1. (t. 2. p. 1215 d.) .... Statuendum est ut qui forte in ecclesia quamlibet causam, &c.—Conf. Cod. Eccles. Afric. (ibid. p. 1086 c.) *Δεῖ αἰτῆσαι ἔτι μὴν, ἵνα ὁρίσαι καταξιώσωσιν, ὥστε ἐάν τινες ἐν ἐκκλησίᾳ οἱανδήποτε αἰτίαν ἀποστολικῷ δικαίῳ τῷ ταῖς ἐκκλησίαις ἐπικειμένῳ γυμνάσαι θελήσωσι, καὶ ἴσως ἡ τομὴ τῶν κληρικῶν τῷ ἑνὶ μέρει ἀπαρέσοι, μὴ ἐξεῖναι πρὸς δικαστήριον εἰς μαρτυρίαν προσκαλεῖσθαι τὸν κληρικὸν ἐκεῖνον τὸν πρότερον τὸ αὐτὸ πρᾶγμα σκοπήσαντα, ἢ καὶ σκοπουμένῳ παρατυχόντα· καὶ ἵνα μηδὲ προσώπῳ τις ἐκκλησιαστικῷ προσήκων ἐναχθείη περὶ τοῦ ὀφείλειν μαρτυρεῖν.*—Conf. C. vulg. dict. African. c. 26. (ibid. p. 1649 d.) Petendum etiam ut statuere dignentur, ut si qui forte in ecclesia quamlibet causam, jure apostolico ecclesiis imposito, agere voluerint, et fortasse decisio clericorum uni parti displicuerit; non liceat clericum in judicium ad testimonium devocari eum, qui cognitor vel præsens [forsan, præses] fuerit. Et nulla ad testimonium dicendum ecclesiastici cujuslibet persona pulsetur.

trouble, because, as I have shewed in another place[44], all such determinations were to be absolutely decisive and final without appeal; yet it is probable some secular judges in Afric might give encouragement to such prosecutions; which made the African fathers complain of the grievance, and desire to have it redressed, in the fore-mentioned canon, to which Gothofred thinks the law of Theodosius refers. But whether the law of Theodosius be thus to be limited, is a matter that may admit of further inquiry. Gothofred himself confesses that Justinian took it in a larger sense; and that is enough for me to found this privilege of bishops upon, that they were not to be called into a secular court, to give their testimony there in any case whatsoever.

Nor obliged to give their testimony upon oath, by the laws of Justinian.

2. Another privilege of this kind, which also argued great respect paid to bishops, was, that when their testimony was taken in private, they were not obliged to give it upon oath, as other witnesses were, but *only upon their word*, as became the priests of God, laying the holy Gospels before them. For the same law of Justinian[45], which grants them the former privilege, enacted this in their favour and behalf also. And in pursuance of that law probably the Council of Tribur[46], some ages after, decreed, 'that no presbyter should be questioned upon oath, but instead of that only be interrogated upon his consecration, because it did not become a priest to swear upon a light cause.' But it does not appear that this indulgence was granted to bishops before the time of Justinian. For the Council of Chalcedon[47] exacted an oath in a certain case of the Egyptian bishops; and the Council of Tyre[48] required the same of Ibas, bishop of Edessa. And there are many other instances of the like nature.

[44] B. 2. c. 7. ss. 3, 4. v. 1. p. 108.

[45] Novel. 123. c. 7. (t. 5. p. 544.) Propositis SS. Evangeliis, secundum quod decet sacerdotes, dicant quod noverint, non tamen jurent.

[46] C. 21. (t. 9. p. 452 a.) Presbyter vero vice juramenti per sanctam consecrationem interrogetur; quia sacerdotes ex levi causa jurare non debent, &c.

[47] Act. 4. (t. 4. p. 517 c.) .... Μέντοιγε ἀπὶ τοῦ οἰκείου σχήματος οἱ εὐλαβέστατοι ἐπίσκοποι τῶν Αἰγυπτίων, ἢ ἐγγύας παρέξουσιν, εἰ τοῦτο αὐτοῖς δυνατὸν, ἢ ἐξωμοσίᾳ καταπιστωθήσονται, ἀναμένοντες τὴν χειροτονίαν τοῦ ἐσομένου ἐπισκόπου τῆς Ἀλεξανδρέων μεγαλοπόλεως.

[48] Ap. Act. 9. C. Chalced. (ibid. p. 630 e.) Πρὸς τοῦτο ἀπῃτήσαμεν ἡμεῖς λόγον [al. ὅρκον] τὸν θεοσεβέστατον ἐπίσκοπον Ἴβαν, ὡς πᾶσι τοῖς ἐν τῷ παρόντι πράγματι λυπήσασιν αὐτὸν, ἢ δόξασιν ἀντιπράττειν, ἀμνηστίαν δωρεῖσθαι.

Whether the single evidence of one bishop was good in law against the testimony of many others.

3. Constantine the Great granted many privileges to the clergy; but there are some, that go under his name, which were certainly never granted by him. As his famed donation to the bishops of Rome, which Baronius[49] himself gives up for a forgery, and De Marca[50] and Pagi[51] prove it to be a spurious fiction of the ninth century, invented most probably by the same Isidore Mercator who forged the Decretal Epistles of the ancient bishops of Rome. There are other privileges fathered upon Constantine, which, though not such manifest forgeries as the former, are yet by learned men reputed of a doubtful nature; such as that which is comprised in a law under the name of Constantine at the end of the Theodosian Code[52], where all judges are 'commanded to take the single evidence of one bishop as good in law against all others whatsoever.' Gothofred is of opinion that this whole title in the Theodosian Code is spurious; and for this law in particular there are two arguments that seem to prove it not genuine. First, because Constantine himself in another law[53] says, 'the testimony of a single witness shall not be heard in any case, no, not though

[49] An. 324. n. 118. (t. 3. p. 275 b.) Jam vero reliquum foret, ut .... de vulgata illa omnium ore ageremus ejusdem Constantini donatione tot tantisque controversiis agitata: sed parcimus, quod nihil præter illa, quæ ab aliis dicta sint, afferre possumus, et eadem repetere sit onerosum atque pariter otiosum; cum liberum sit cuique, quæ eo argumento a pluribus sunt scripta, consulere.

[50] De Concord. l. 6. c. 6. n. 6. (p. 806.) Alterum, quod mihi observasse videor notatu dignum, nempe pallium esse genus quoddam imperatorii indumenti, cujus usum imperatores permisere patriarchis, videri prima fronte posset audaciæ plenum, nisi fidejussores optimos darem. Ecclesia namque Romana ita esse fatetur, quæ Constantini donationem, ubi scriptum est, pallium Romano pontifici tributum beneficio istius imperatoris, decreto Gratiani insertam suscepit. Adsentior sane viris eruditis, qui donationem illam falsi arguunt, eo in primis argumento, quod a Constantino facta esse dicatur.

[51] Crit. in Baron. an. 324. n. 13. [al. 16.] (t. 1. p. 400.) *Donatio* Constantini prorsus supposititia, ut fere inter eruditos convenit. ...Videtur igitur *donatio* illa ab Isidoro Mercatore cum veterum pontificum pseudographis epistolis supposita. Convenit enim Isidori ingenio, stylo et characteri scribendi plane squalido, ac denique rationi temporis, quo primum audita, Carolo scilicet Magno imperante; cum laudetur ab Hincmaro episcopo Rhemensi, qui tunc floruit.

[52] L. 16. tit. 12. de Episc. Audient. leg. 1. [al. Extravagans leg. 1.] (t. 6. p. 304.) Testimonium, etiam ab uno licet episcopo perhibitum, omnes judices indubitanter accipiant, nec alius audiatur, cum testimonium episcopi a qualibet parte fuerit repromissum.

[53] Vid. Cod. Theod. l. 11. tit. 39. de Fide Testium, leg. 3. (t. 4. p. 321.) .. Sanximus, ut unius omnino testis responsio non audiatur, etiamsi præclare curiæ honore præfulgeat.

the witness be a senator.' Secondly, because the ecclesiastical laws, as well as the civil, require two witnesses, as has been noted in the last chapter; which, I think, are sufficient arguments to prove that no such extravagant privilege could be granted to bishops by Constantine; but I leave the reader to judge for himself, if he can find better arguments to the contrary.

Presbyters privileged against being questioned by torture, as other witnesses were

4. We have better proof for another privilege that we find granted to presbyters, which was, that if any of them were called to give testimony in a public court, they *should not be examined by scourging or torture*, as the law directed in other cases. For by the Roman laws witnesses might be examined upon the rack, in some cases, to make them declare the whole truth; as we learn not only from the laws themselves[54], but from St. Austin[55] and Synesius[56], who mention several new sorts of torture, which Andronicus, the tyrannical prefect of Ptolemais, invented beyond what the law directed. But now nothing of this kind could be imposed upon any presbyter of the Church; for they were exempted from it by a law of Theodosius the Great, which is still extant in both the Codes[57], by which it also appears that it was a peculiar pri-

[54] Vid. Cod. Justin. l. 9. tit. 41. de Quæst. (t. 4. p. 2427.)—It. Cod. Theod. l. 13. tit. 9. de Naufragiis, leg. 2. (t. 5. p. 105.) Si quando causatio est de impetu procellarum, medium ex his nautis numerum navicularius exhibeat quæstioni, quos eum in navi, pro modo capacitatis, constat habuisse, quo eorum tormentis plenior veritas possit inquiri.

[55] Serm. 49. de Divers. t. 10. p. 520. [al. Serm. 355. de Vit. et Morib. Clericor. c. 4.] (t. 5. p. 1382 f.) Navicularium nolui esse ecclesiam Christi. Multi sunt quidem, qui etiam de navibus acquirunt: tamen una tentatio [si] esset, iret navis et naufragaret. Homines ad tormenta daturi eramus, ut de submersione navis secundum consuetudinem quæreretur, et torquerentur a judice, qui essent de fluctibus liberati, &c.

[56] Ep. 58. (p. 201 b. 3.) *Ἀνδρόνικον τὸν Βερονικέα τὸν κακῇ Πενταπόλεως μοίρᾳ, καὶ φύντα, καὶ τραφέντα, καὶ αὐξηθέντα, καὶ τὴν ἀρχὴν τῆς ἐνεγκούσης αὐτὸν ὠνησάμενον, μήτε ἡγείσθω τὶς, μήτε καλείτω Χριστιανόν· ἀλλ' ὡς ἀλιτήριος ὢν τοῦ Θεοῦ πάσης ἐκκλησίας ἀπεληλάσθω πανέστιος· οὐ διότι γέγονε Πενταπόλεως ἐσχάτη πληγὴ, μετὰ σεισμὸν, μετὰ ἀκρίδα, μετὰ λοιμὸν, μετὰ πῦρ, μετὰ πόλεμον, ἐπεξελθὼν ἀκριβῶς τοῖς ἐκείνων ἐγκαταλείμμασιν, ἄτοπα κολαστηρίων ὀργάνων γένη καὶ σχήματα πρῶτος εἰς τὴν χώραν εἰσενεγκών· εἶη δὲ εἰπεῖν, ὅτι καὶ μένος χρησάμενος, δακτυλήθραν, καὶ ποδοστράβην, καὶ πιεστήριον, καὶ ῥινολαβίδα, καὶ ὠτάγραν, καὶ χειλοστρόφιον· ὧν οἱ προλαβόντες τὴν πεῖράν τε καὶ τὴν θέαν, καὶ τῷ πολέμῳ προαπολόμενοι, παρὰ τῶν κακῶς περισωθέντων ἐμακαρίσθησαν, κ. τ. λ.*

[57] L. 11. tit. 39. de Fid. Test. leg. 10. (t. 4. p. 331.) Presbyteri citra injuriam quæstionis testimonium dicant; ita tamen ut falsa non simulent. Cæteri vero clerici, qui eorum gradum vel ordinem subsequuntur, si ad testimonium dicen-

vilege granted to bishops and presbyters, but to none below them: for the rest of the clergy are excepted, and left to the common way of examination, which in other cases the law directed to be used.

he clergy empt m the dinary gnizance the secu- courts all eccle- stical uses.

5. But the next privilege I am to mention was a more universal one that extended to all the clergy; which was their *exemption from the ordinary cognizance of the secular courts in several sorts of causes.* To understand this matter aright, we must carefully distinguish two things. First, the different kinds of causes in which the clergy might be concerned; and, secondly, the different powers of the inferior courts from that of the supreme magistrate, who was invested with a peculiar prerogative-power above them. The want of attending to which distinctions is the thing that has bred so much confusion in modern authors upon this subject, and especially in the Romish writers, many of which are intolerably partial in their accounts, and highly injurious to the civil magistrates, under pretence of asserting and maintaining the rights and liberties of the Church. In the first place, therefore, to have a right understanding in this matter, we must distinguish the several sorts of causes in which ecclesiastical persons might be concerned. Now these were of four kinds: first, such as related to matters purely ecclesiastical, as crimes committed against the faith or canons and discipline and good order of the Church, which were to be punished with ecclesiastical censures; secondly, such as related to mere civil and pecuniary matters between a clergyman and a layman; thirdly, such as related to political matters, as gross and scandalous crimes committed against the laws, and to the detriment of the commonwealth, as treason, rebellion, robbery, murder, and the like, which in the laws are called *atrocia delicta;* fourthly, such as related to lesser crimes of the same nature, which the law calls *levia delicta, small* or *petty offences.* Now, according to this distinction of causes, the clergy were or were not exempt from the cognizance of the civil courts by the laws of the Roman empire. In all matters that were purely ecclesiastical they were absolutely exempt, as Gothofred[57], the great civilian,

dum petiti fuerint, prout leges præcipiunt, audiantur.—Cf. Cod. Justin. l. 1. tit. 3. leg. 8. (t. 4. p. 86.)

[57] In Cod. Theod. l. 16. tit. 2. leg. 23. (t. 6. p. 52.) De causis ecclesiasticis, τὰ ἐκκλησιαστικὰ ζητή-

scruples not to own. For all causes of that nature were reserved to the hearing of bishops and their councils, not only by the canons of the Church, but by the laws of the State also.

6. This may be evidenced from the Rescripts of several emperors successively one after another, most of which are extant in both the Codes. Constantius, anno 355, published a law[58], wherein he prohibited any accusation to be brought against a bishop before a secular magistrate; but, if any one had any complaint against him, his cause should be heard and tried by a synod of bishops. This at least must signify in ecclesiastical causes; though Gothofred and some others say it extended also to civil and criminal causes; and that though it looked like a privilege, yet it was intended as a snare to the Catholic bishops, to oppress them by his Arian synods, in those times when the majority of bishops in any synod were commonly such as favoured the Arian party; and a Catholic bishop might expect more favour and justice from a secular court than from them. But whether this law extended to all civil and criminal causes, is not very easy to determine:—thus much is certain, that if it did, it was not long after in that part revoked, whilst in the other part it stood good, and was confirmed by the laws of the succeeding emperors.

Thi den fron law stan

7. For Valentinian granted the clergy the same immunity in all ecclesiastical causes. As appears from what St. Ambrose writes to the younger Valentinian concerning his father, saying[59], 'Your father, of august memory, did not only say it in

And cf V nian Grat

mata apud Basilium, id est, in quibus de religione agitur, seu in causa fidei, ut Valentinianus senior, imperatoris nostri pater, in hac ipsa re lege sua dicebat, teste Ambrosio, Ep. 32. in princ. Dubium nullum est, eas coram episcopis et synodis dicecesson audiri oportere .... non vero δημοσίοις δικαστηρίοις ecclesiasticos στηλιτεύεσθαι. ..... Item, dubium nullum est, causas ecclesiastici alicujus ordinis, ut et delicta ecclesiasticorum proprie contra disciplinam ecclesiasticam et ordinem admissa, ibidem agitata, qui ecclesiastica ἐγκλήματα seu ἁμαρτήματα delicta dicuntur Can. 6. Concilii Constantinop. et Novella Just. 83. cap. 1. .. quæ scilicet pœnis canonicis, atque in his exauctoratione ... communionis privatione exercentur.

[58] Ap. Cod. Theod. l. 16. tit. 2. de Episcopis, leg. 12. (ibid. p. 37.) Mansuetudinis nostræ lege prohibemus in judiciis episcopos accusari. .... Si quid est igitur querelarum, quod quispiam defert, apud alios potissimum episcopos convenit explorari, &c.

[59] Ep. 32. [al. 21.] ad Valentin. (t. 2. p. 860 c.)... Augustæ memoriæ pater tuus non solum sermone respondit, sed etiam legibus suis sanxit, in causa fidei, vel ecclesias-

words, but enacted it into a law, that, in matters of faith and ecclesiastical order, they ought to judge who were qualified by their office, and [were] of the same order.' For those are the words of his Rescript. That is, he would have priests to judge of priests. This law is not now extant in the Code, but there is another[60] of Valentinian and Gratian to the same purpose wherein it is decreed, 'that the same custom should be observed in ecclesiastical business as was in civil causes: that if there arose any controversies about matters of religion, either from the dissensions of men, or other small offences, they should be heard and determined in the places where they arose, or in the synod of the whole diocese. Except only such criminal actions as were reserved to the hearing of the ordinary judges, the proconsuls and prefects of every province, or the extraordinary judges of the emperor's own appointing, or the illustrious powers,' viz. the *præfectus-prætorio* of the diocese. Here it is plain, that though criminal actions against the state-laws are excepted, yet all matters ecclesiastical were to be heard by ecclesiastical judges, and no other.

d Theodosius the eat.

8. In the last title of the Theodosian Code there is a law[61], under the name of Theodosius the Great, to the same purpose, wherein it is decreed, 'that no bishop, nor any other minister of the Church, shall be drawn into the civil courts of any ordinary or extraordinary judges, about matters or causes of an ecclesiastical nature, because they have judges of their own and laws distinct from those of the State. This law is cited in Gratian's Decree, but the words *quantum ad causas ecclesiasticas tamen pertinet* are there[62] fraudently left out, to

tici alicujus ordinis eum judicare debere, qui nec munere impar sit, nec jure dissimilis: hæc enim verba Rescripti sunt: hoc est, sacerdotes de sacerdotibus voluit judicare.

[60] L. 16. tit. 2. de Episcopis, leg. 23. (t. 6. p. 52.) Qui mos est causarum civilium, iidem in negotiis ecclesiasticis obtinendi sunt: ut siqua sunt ex quibusdam dissensionibus, levibusque delictis, ad religionis observantiam pertinentia, locis suis et a suæ diœceseos synodis audiantur. Exceptis, quæ actio criminalis ab ordinariis extraordinariisque judicibus, aut illustribus potestatibus audientia [leg. audienda] constituit.

[61] Ibid. tit. 12. [al. Extravagans.] de Episcop. Judic. leg. 3. (p. 311.). Continua lege sancimus, ut nullus episcoporum vel eorum, qui ecclesiæ necessitatibus serviunt, ad judicia sive ordinariorum sive extraordinariorum judicum (quantum tamen ad causas ecclesiasticas pertinet) pertrahatur, &c.

[62] Gratian. Caus. 11. quæst. 1. c. 5. (t. 1. p. 901. 12.) [Neither is there any notice of the omission in the margin. Similar omissions in several authors are common in the later editions. Ed.]

serve the current doctrine and hypothesis of his own times, and make the reader believe that the clergy anciently enjoyed an exemption not only in ecclesiastical causes, but all others. I the rather mention this corruption, because none of the Correctors of Gratian have taken any notice of it. The Roman Censors silently pass it over, and it has escaped the diligence of Antonius Augustinus, and Baluzius also. Gothofred indeed questions the authority of the law itself; but I shall not stand to dispute that, since there is nothing in it contrary to the preceding laws or those that followed after.

And Arcadius and Honorius

9. For Arcadius and Honorius continued the same privilege to the clergy, confirming the ancient laws[63], 'that whenever any cause relating to religion was debated, the bishops were to be judges; but other causes, belonging to the cognizance of the ordinary judges and the use of the common laws, were to be heard by them only.'

And Valentinian the Third and Justinian

10. Theodosius Junior and Valentinian the Third refer to this law of Honorius as the standing law then in force, concerning the immunities and liberties of the clergy, saying in one[64] of their decrees, 'that bishops and presbyters had no court of secular laws, nor any power to judge of other causes, except such as related to religion, according to the Constitutions of Arcadius and Honorius inserted into the Theodosian Code.' So that all the same laws, which denied them power in secular causes, allowed them the privilege of judging in ecclesiastical causes; and the very excepting of other causes is a manifest proof that there was no contest made about these to the time of Justinian, who confirmed the privilege which so many of his predecessors had granted before him. For in one of his Novels[65] we find it enacted, 'that all ecclesiastical crimes, which were to be punished with ecclesiastical penalties and

[63] Cod. Theod. lib. 16. tit. 11. de Religione, leg. 1. (t. 6. p. 298.) Quoties de religione agitur, episcopos convenit judicare: cæteras vero causas, quæ ad ordinarios cognitores, vel ad usum publici juris pertinent, legibus oportet audiri.

[64] Novel. 12. ad calc. Cod. Theod. (ibid. append. p. 26.) Quoniam constat episcopos et presbyteros *forum legibus non habere*: nec de aliis causis, secundum Arcadii et Honorii divalia constituta, quæ Theodosianum Corpus ostendit, *præter religionem posse cognoscere.*

[65] Novel. 83. c. 1. (t. 5. p. 386.) Si vero ecclesiasticum sit delictum, egens castigatione ecclesiastica et multa, Deo amabilis episcopus hoc discernat, nihil communicantibus clarissimis provinciæ judicibus. Neque enim volumus talia negotia omnino scire civiles judices, &c.

censures, should be judged by the bishop, the provincial judges not intermeddling with them. For,' saith he, 'it is our pleasure that such matters shall not be heard by the civil judges.'

The clergy also exempt in lesser criminal causes.

11. Gothofred[66] is also of opinion that some of *the lesser criminal causes* of ecclesiastics were to be determined by the bishops and their synods likewise. For in the forementioned law of Gratian (see before, sect. 7.) the *levia delicta* or *lesser crimes* are reserved to the hearing of bishops. And St. Ambrose[67], having spoken of the decree of Valentinian, which orders all ecclesiastical causes to be judged by bishops only, adds also, 'that if in other respects a bishop was to be censured, and his morals came under examination, such causes as those likewise should appertain to the episcopal judgment.' Which seems to put some distinction between ecclesiastical and civil criminal causes, and reserves both to the hearing of bishops and their synods. But then, as Gothofred rightly observes, this must only be understood of lesser criminal causes; for in greater criminal actions the clergy were liable to the cognizance of the secular judges, as well as all others. Which is freely owned by De Marca, and some other ingenuous writers of the Romish Church. For De Marca[68] quits the positions of Baronius and the Canonists, and confesses, 'that, as it appears from the Theodosian Code, that the ecclesiastical crimes and lesser civil crimes of the clergy were left to the hearing of bishops, and the synods of every diocese or province; so the greater civil crimes of the clergy, which he reckons five in number, were reserved to the hearing of the public courts and civil judges, which, he says[69], 'appears from the laws published by Sirmondus in his Appendix to the Theodosian Code.'

[66] In Cod. Theod. l. 16. tit. 2. leg. 23. (t. 6. p. 54.).... De hujusmodi delictis episcopi quoque judices esse possunt, &c.

[67] Ep. 32. [al. 21.] ad Valentin. (t. 2. p. 860 d.) Quinetiam si alias quoque argueretur episcopus, et morum esset examinanda causa, etiam hæc [al. hanc] voluit ad episcopale judicium pertinere.

[68] Dissert. in Cap. *Clericus*, ad calc. Anton. August. de Emendat. Gratian. p. 577. (ap. Oper. De Marcæ, Bamberg. 1789. t. 4. p. 415. s. 7.) Unde in Codice Theodosiano controversiæ, quæ ad religionem pertinent, in quibus sunt crimina ecclesiastica, et minora delicta e civilium numero, episcopis et cujusque diœceseos sive provinciæ synodis relinquuntur: servata judiciis publicis atrocium criminum, quæ numero quinque, adversus clericos cognitione; ut docent leges aliquot editæ cura Sirmondi in Appendice Codicis Theodosiani.

[69] [Vid. Benign. Milletot. de Legitima Judicum Sæcularium Potes-

12. Some reckon those laws to be of no very great authority, and therefore I shall rather choose to confirm this position from the undoubted laws which occur in the body of the Theodosian Code. Such as that of Theodosius and Gratian[70], which particularly excepts these greater criminal actions, and reserves them to the hearing of the ordinary or extraordinary judges, or the *præfectus-prætorio* of the diocese; and those other laws of Theodosius, and Arcadius, and Honorius, and Valentinian the Third, which have been cited in the foregoing sections[71], and need not here be repeated. To which we may add that law[72] of the elder Valentinian, which orders 'all such ecclesiastics to be prosecuted in the civil courts, that were found guilty of creeping into the houses of widows and orphans, and so insinuating into their affections, as to prevail upon them to disinherit their relations and make them their heirs.' And that other law[73] of the emperor Marcian, which in criminal causes exempts the clergy of Constantinople 'from the cognizance of all inferior courts, but not from the high court of the *præfectus-prætorio* of the royal city.' Which appears also to have been the practice at Rome: for Socrates[74] observes, that when in the conflict, which happened at the election of Pope Damasus, some persons were slain, many both of the laity and clergy upon that account were punished by Maximinus, who was then *præfectus-prætorio* at Rome. It appears further from the Novels of Valentinian the Third[75], that in

But not in greater criminal causes.

tate in Personas Ecclesiasticas. (ap. Monarchiam Goldasti, t. 3. p. 774. Francof. 1613. fol.) Liber prohib. ap. Soto-Major.—Cf. Bernard. Laurent. Casus, quibus Judex Sæcularis potest manus injicere in Personas Ecclesiasticas: item de Privilegiis Clericorum. Paris. 1517. 8vo. ED.]

[70] L. 16. tit. 2. de Episc. leg. 23. (t. 6. p. 52.).... Exceptis quæ actio criminalis ab ordinariis extraordinariisque judicibus, aut illustribus potestatibus audienda constituit.

[71] See notes 61, 63, 64, preceding.

[72] Cod. Theod. l. 16. tit. 2. leg. 20. (ibid. p. 48.) Ecclesiastici ..... viduarum ac pupillarum domos non adeant: sed publicis exterminentur judiciis, si posthac eos affines earum vel propinqui putaverint deferendos.

[73] Cod. Justin. l. i. tit. 3. de Episc. leg. 25. (t. 4. p. 87.).... Qui [actor] in nullo alio foro, vel apud quemquam alterum judicem eosdem clericos litibus irretire, et civilibus vel criminalibus negotiis tentet innectere.

[74] L. 4. c. 29. (v. 2. p. 252. 3.) Ἐντεῦθεν δὲ συμπληγάδες τῶν ὄχλων ἐγίνοντο· ὥστε καὶ ἐκ τῆς παρατριβῆς πολλοὺς ἀποθανεῖν, καὶ διὰ τοῦτο πολλοὺς λαϊκούς τε καὶ κληρικοὺς ὑπὸ τοῦ τότε ἐπάρχου Μαξιμίνου τιμωρηθῆναι.

[75] Novel. 5. de Sepulcr. Violat. ad calc. Cod. Theod. (t. 6. append. p. 22.) Quisquis igitur ex hoc numero [clericorum] sepulcrorum violator

such criminal actions as those of murder, robbing of graves, or the like, bishops as well as any other clerks were bound to answer before the civil magistrate by their proctors. But Justinian a little enlarged the privilege with respect to bishops, making a decree[76], 'that no one should draw a bishop in any pecuniary or criminal cause before a secular magistrate against his will, unless the emperor gave particular order to do it.' This was the plain state of the matter as to what concerned the exemption of the clergy in this sort of criminal causes, notwithstanding what Baronius or any others of that strain have said to the contrary. Nay, some ages after, such crimes, as murder theft and witchcraft, were brought before the secular judges in France, as appears from the Council of Mascon[77], anno 581.

'or in ecuniary uses with ymen.

13. The case was much the same *in all civil pecuniary controversies* which the clergy had with laymen. For though they might end all such causes which they had with one another in their own courts or before a synod of bishops; and the canons obliged them so to do, as has been noted in the last chapter[78]; yet, if their controversy happened to be with a layman, the layman was not bound to refer the hearing of his cause to an ecclesiastical court, unless he voluntarily consented by way of compromise to take some ecclesiastical persons for his arbitrators. This is evident from one of the Constitutions of Valentinian the Third, which says[79], 'that if the plaintiff

exstiterit, illico clerici nomen amittat, et sic stilo proscriptionis addictus perpetua deportatione plectatur. Quod ita servari oportere censemus, ut nec ministris nec antistitibus sacræ religionis in tali causa statuamus esse parcendum.—It. Novel. 12. (ibid. p. 26.) Quam formam etiam circa episcoporum personam observari oportere censemus, ut si in hujusmodi ordinis homines actionem pervasionis et atrocium injuriarum dirigi necesse fuerit, per procuratorem solemniter ordinatum apud judicem publicum inter leges et jura confligant.

[76] Novel. 123. c. 8. (t. 5. p. 544.) Sed neque, pro qualibet pecuniaria causa vel criminali, episcopum ad judicem civilem aut militarem invitum producere aut exhibere, citra imperialem jussionem, permittimus, &c.

[77] Matiscon. 1. c. 7. (t. 5. p. 968 b.) Ut nullus clericus de qualibet causa, extra discussionem episcopi sui, a sæculari judicio injuriam patiatur, aut custodiæ deputetur. Quod si quicumque judex cujuscumque clericum absque causa criminali, id est, homicidio, furto, aut maleficio, hoc facere fortasse præsumpserit, quamdiu episcopo loci illius visum fuerit, ab ecclesiæ liminibus arceatur.

[78] Ch. 1. s. 4. p. 108.

[79] Novel. 12. ad calc. Cod. Theod. (t. 6. append. p. 26.).... Petitor laicus, seu in civili seu in criminali causa, cujuslibet loci clericum adversarium suum, si id magis eligat, per auctoritatem legitimam in publico judicio respondere compellat.

was a layman, he might compel any clergyman with whom he had a civil contest to answer in a civil court, if he rather chose it.' And the Council of Epone[80], according to the reading of Sirmond's edition, says the same, 'that the clergy, if they were sued in a secular court, should make no scruple to follow the plaintiff thither.' But Justinian[81], at the instance of Mennas, patriarch of Constantinople, granted the clergy of the royal city a peculiar privilege, 'that in all pecuniary matters their cause should first be brought before the bishop; and if the nature of the cause happened to be such that he could not determine it, then recourse might be had to the civil judges, but not otherwise.' From all which it appears, that anciently exemptions of this nature were not challenged as matters of divine right, but depended wholly upon the will and pleasure of Christian princes, however afterages came to put another kind of gloss upon them.

Of the necessary distinction between the supreme and subordinate magistrates this business of exemptions

14. Nay it must be observed, that even in ecclesiastical causes, a great difference was always observed between the power of the prince or supreme magistrate, and that of the subordinate and inferior judges. For though the ordinary judges were bound by the laws not to intermeddle with ecclesiastical causes; yet in some cases the prince himself interposed and appointed extraordinary judges, and sometimes heard and decided the cause himself, or reversed the decisions of ecclesiastics by his sovereign power, which no ordinary judges were qualified to do. But this belongs to another subject, that will have a more proper place in this work, when we come to speak of the power of Christian princes.

[80] C. 11. (t. 4. p. 1577 d.).... Si pulsati fuerint, sequi ad sæculare judicium non morentur.—Yet note, that other editions, as those of Crabbe and Binius, read it to a contrary sense,—Sequi ad sæculare judicium non præsumant.

[81] Novel. 83. Præfat. (t. 5. p. 385.) Petiti sumus a Menna.... clericis hoc dare privilegium, ut si quis habet adversus eos quamlibet pecuniarum causam, prius ad.. archiepiscopum pergat, sub quo constitutus est, et interpellet eum, &c.—Ibid. n. 1. (p. 386.) Si vero aut propter causæ naturam, aut propter quandam forte difficultatem non fuerit possibile.... episcopo decidere negotium, tunc licenciam esse et ad civiles judices pergere, &c.

CHAP. III.

Of the immunities of the clergy in reference to taxes and civil offices and other burdensome employments in the Roman empire.

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1. ANOTHER privilege which the clergy enjoyed by the favour of Christian princes was, that in some certain cases, according to the exigency of times and places, they were exempt from some of the taxes that were laid upon the rest of the Roman empire. But whatever they enjoyed of this kind, they did not pretend to as matter of divine right, but freely acknowledged it to be owing to the pious munificence and favour of Christian emperors. Therefore Baronius[82] does them great injustice, and is guilty of very gross prevarication, in pretending that 'they claimed a freedom from tribute by the law of Christ; and that no emperor ever imposed any tax upon them, except only Julian the Apostate, and Valens the Arian, and the younger Valentinian, who was wholly governed by his mother Justina, an Arian empress; that, when St. Ambrose paid tribute under this Valentinian, he did it only out of his Christian meekness, not that he was otherwise under any obligation to have done it.' How true this representation is, the reader may judge in part from the words of St. Ambrose[83], which are these: 'If the emperor demands tribute of us, we do not deny it: the lands of the Church pay tribute. We pay to Cæsar the things that are Cæsar's, and to God the things that are God's. Tribute is Cæsar's, and therefore we do not refuse to pay it.' This is so far from challenging any exemption by divine right, that it plainly asserts the contrary. As in another place[84] he argues, that all men are under an obligation to pay tribute, because the Son of God himself paid

[82] An. 387. nn. 10—15. (t. 4. pp. 548,549.) Nonne ut de ipso Domino, &c.

[83] Orat. cont. Auxent. de Tradend. Basilic. post. Ep. 32. [al. 21.] ad Valentin. (t. 2. p. 872 e. et p. 873 d.) Si tributum petit [imperator] non negamus; agri ecclesiæ solvunt tributum..... Solvimus, quæ sunt Cæsaris, Cæsari, et quæ sunt Dei, Deo. Tributum Cæsaris est; non negatur.

[84] In Luc. 5. l. 4. n. 73. (t. 1. p. 1354 a.) Magnum quidem est et spiritale documentum, quod Christiani viri sublimioribus potestatibus docentur debere esse subjecti, ne quis constitutionem regis terreni putet esse solvendam. Si enim censum Dei Filius solvit, quis tu tantus es, qui non putes esse solvendum? Et ille censum solvit, qui nihil possidebat: tu autem, qui sæculi sequeris lucrum, cur sæculi obsequium

it, Matth. 17, 23. And yet Baronius[85] cites that very passage of the Evangelist to prove that the clergy are *jure divino* exempt, because our Saviour says, "then are the children free." 'For if,' says he, 'the children be free, much more so are the fathers, that is, the pastors under whose care princes are.' Bellarmin is much more ingenuous in handling this question; for he asserts[86], against the Canonists, whose opinion Baronius labours to maintain, 'that the exemption of the clergy in political matters, whether relating to their persons or their goods, was introduced by human right only, and not divine; and that in fact they were never exempted from any other but personal tribute till the time of Justinian, when they were freed from taxes upon their estates and possessions also.' So little agreement is there betwixt these two great cardinals of the Romish Church in their accounts of this matter, either

non recognoscas?—It. ap. Gratian. Caus. 11. quæst. 1. c. 28. (t. 1. p. 908.) where the same words with a slight variation are read.

[85] An. 387. n. 12. (t. 4. p. 548 e.) .. Cum alioqui ex Domini sententia si non a filiis reges tributum exigunt, &c.

[86] De Clericis, l. 1. c. 28. (juxt. Ed. Ingoldstad. 1590. et Paris. 1620.) Exceptio clericorum in rebus politicis, tam quoad personas, quam quoad bona, jure humano introducta est, non divino. Hæc propositio est contra Canonistas. [Grischovius makes the following remarks on this citation: In Editione Coloniensi, 1615. (t. 2. p. 329 a.) et Pragensi nova, aliter prorsus hæc leguntur, quam Binghamus noster ea exhibet, nimirum ita: *Exceptio clericorum .... introducta est jure humano pariter et divino.* Et addit ibi Bellarminus: *Et quidem quod jure humano introducta sit, patet ex iis testimoniis, quæ attulimus in tertia et quarta propositione probanda. Quod autem sit etiam introducta jure divino, probandum est hoc loco. Sed antea tamen observandum est, nos per jus divinum non intelligere præceptum Dei proprie dictum, quod extet expresse in sacris litteris; sed quod ab exemplis, vel testimoniis Testamenti Veteris, vel Novi, per quamdam similitudinem deduci possit. Atque hinc fortasse conciliari poterunt theologorum et jurisperitorum sententiæ. Illi enim cum negant, exemtionem clericorum esse juris divini, præceptum divinum proprie dictum expresse in Scripturis extare negant; isti vero cum affirmant, eamdem exemtionem esse juris divini, id solum affirmant, quod theologi minime negant, deduci per similitudinem ab exemplis et testimoniis sacræ Scripturæ, Deum voluisse, ut clerici et ipsorum bona libera essent a potestate et jurisdictione laicorum.* Paulo ante in propositione quarta hæc habet idem Bellarminus, ad quæ respexit auctor: (p. 327 d.) *Ubi tamen observandum est, ante Justiniani tempora, legibus priorum principum immunes fuisse clericos a tributis personalibus, ut etiam indicat S. Hieronymus, in Commentario ad c. 17. Matth.: non tamen fuisse liberos a tributis, quæ pendi solent ratione possessionum, ut colligitur ex Sancto Ambrosio, in Oratione de Tradendis Basilicis, ubi dicit: Agri ecclesiæ solvunt tributum; et ex Theodoreto, l. 4. Histor. c. 7. ubi scribit, Valentinianum seniorem, in Epistola ad episcopos Asiæ, illa verba posuisse: Boni episcopi tributa pensitant regibus.*—The collation of *editions* is often most important. ED.]

as to fact or right, that in every thing their assertions are pointblank contrary to one another.

Yet generally excused from personal taxes or head-money.

2. To set the matter in a clear light, it will be necessary for me to give the reader a distinct account of the several sorts of tribute that were imposed upon subjects in the Roman empire, and to shew how far the clergy were concerned in each of them, which will be best done by having recourse to the Theodosian Code, where most of the laws relating to this affair are still extant. And this I shall the rather do, because Baronius makes use of the same authority, but with great partiality, dissembling every thing that would not serve the hypothesis he had undertaken to maintain.

Now the first sort of tribute I shall take notice of is that which is commonly called *census capitum*, or *personal tribute*, to distinguish it from the *census agrorum*, or *tribute arising from men's estates and possessions*. That the clergy were generally freed from this sort of tribute is agreed on all hands. Only Gothofred has a very singular notion about it: for he asserts[86] 'that under the Christian emperors there was no such tribute as this paid by any men; so that the exemption of the clergy in this case was no peculiar privilege belonging to them, but only what they enjoyed in common with all other subjects of the Roman empire.' But in this that learned man seems evidently to be mistaken. For, first, he owns there was such a tribute under the heathen emperors, from which, as Ulpian relates[87], none were excused, save only minors under fourteen,

[86] In Cod. Theod. l. 11. tit. 1. de Annon. et Tribut. leg. 15. (t. 4. p. 27. col. dextr.) Atque hæc quidem, &c.—It. in l. 13. tit. 10. de Censu, leg. 4. (t. 5. p. 119.) De immunibus tribus personarum generibus a censu seu a plebeia capitatione, est hæc Valentiniani Sen. constitutio, et quidem per Gallias, quod notandum: pariter ut altera l. 6. infr. quæ eumdem Valentinianum auctorem habet, et ad eumdem Viventium PP. data est: sic tamen ut illa ab hac in nonnullis recedat: mox ut ostendetur. Et sic pertinet hæc lex ad censum Gallicanum, pariter ut duæ leges proximæ 5, 6. . . . . Plerique vero interpretum id de tributo capitis, seu capitis censu, quod pro capite dabatur, accipiunt. De quo est sane Lex 3, π. *De Censibus:* ubi similis quoque immunitas continetur. *Ætatem in censendo significare necesse est, quia quibusdam ætas tribuit, ne tributo onerentur: veluti in Syriis a quatuordecim annis masculi, a duodecim feminæ, usque ad sexagesimum quintum annum tributo capitis obligantur: ætas autem spectabatur censendi tempore.* Verum cum nullum jam amplius hoc ævo capitis seu pro capite libero tributum usurparetur; est omnino hæc lex, ut et d. l. 6, accipienda de capitatione et jugatione pro capitibus et jugis seu possessionibus, &c.

[87] Digest. l. 50. tit. 15. de Censibus, leg. 3. (t. 3. p. 1789.) Ætatem

and persons superannuated, that is, above sixty-five; nor does he produce any law to shew when or by whom that tribute was ordered to be laid aside. Secondly, Theodosius Junior, the author of the Theodosian Code, makes express mention of it, when in one of his Novels[88] he distinguishes betwixt the *census capitum* and *census agrorum*. Thirdly, there are several laws in the Theodosian Code, exempting the clergy from tribute, which cannot fairly be understood of any other tribute but this sort of capitation. As when Constantius grants the clergy the same immunity from tribute as minors had, he plainly refers to the old law about minors, mentioned by Ulpian, and puts the clergy upon the same foot with them, granting them this privilege[89], 'that not only they themselves, but their wives and children, their menservants and their maidservants, should all be free from tribute;' meaning *personal tribute*, or that sort of capitation called *capitis census*. After the same manner we are to understand those two laws of Valentinian[90], where he grants to devoted virgins, and widows, and orphans under twenty years of age, the same immunity from tribute, or, as it is there called, 'the capitation of the vulgar.' As also that other law of his[91], where he grants the like privilege to

in censendo significare necesse est, &c. See the remainder, as printed in italics, in the preceding note.

[88] Novel. 21. ad calc. Cod. Theod. (t. 6. append. p. 11. sub fin.).... Repetita clementiæ nostræ præceptione sancimus, ut antiquatis omnibus privilegiis, quæ vel dignitatibus delata fuerunt, vel diversæ militiæ collegia meruerunt, aut nomine venerandæ religionis obtentum est, omnis ubique census, qui non personarum est sed agrorum, ad universa munia a nova duntaxat indictione, ut supra definivimus, absque ulla discretione cogatur in quarta parte.

[89] Cod. Theod. l. 16. tit. 2. de Episc., &c. leg. 10. (t. 6. p. 34.) Clericis ac juvenibus præbeatur immunitas..... Quod et conjugibus et liberis eorum et ministeriis majoribus pariter ac feminis indulgemus; quos a censibus etiam jubemus perseverare immunes.—Ibid. leg. 14. (p. 40.) Omnibus clericis hujusmodi prærogativa succurrat, ut conjugia clericorum ac liberi quoque et ministeria [i. e. mares pariter ac feminæ] eorumque etiam filii immunes semper a censibus et separati ab hujusmodi muneribus perseverent.

[90] Cod. Theod. l. 13. tit. 10. de Censu, leg. 4. (t. 5. p. 118.) In virginitate perpetua viventes, et eam viduam de qua ipsa maturitas pollicetur ætatis nulli jam eam esse nupturam, a plebeiæ capitationis injuria vindicandas esse decernimus: item pupillos in virili sexu usque ad viginti annos ab istiusmodi functione immunes esse debere; mulieres autem donec virum unaquæque sortitur.—Ibid. leg. 6. (p. 120.) Nulla vidua, nemo pupillus,.... exactionem plebis agnoscat, &c.

[91] Ibid. tit. 4. de Excusat. Artific. leg. 4. (p. 54.) Picturæ professores, si modo ingenui sunt, placuit, neque sui capitis censione, neque uxorum, aut etiam liberorum nomine, tributis esse munificos.

painters, together with their wives and children. From all which we may very reasonably conclude, that this exemption from personal taxes was not a thing then common to all, but a peculiar privilege of some certain arts and professions, among which the most honourable was that of the clergy.

This may be further confirmed from an observation or two out of Gregory Nazianzen and Basil. Nazianzen, in one of his Epistles[92] to Amphilochius, complains 'that the officers of the government had made an illegal attempt upon one Euthalius, a deacon, to oblige him to pay taxes:' therefore he desires Amphilochius[93] 'not to permit this injury to be done him; since otherwise he would suffer an hardship above other men, not being allowed to enjoy the favour of the times, and the honour which the emperors had granted to the clergy.' Here he plainly refers to some immunity from tribute, which the imperial laws granted particularly to the clergy; which could not be any exemption of their estates from tribute, for there was no such law then in force to be appealed to. It must therefore mean their exemption from personal taxes, from which they were freed by the laws of Valentinian and Constantius already mentioned. This will still receive greater light and confirmation from the testimony of St. Basil[94], who had occasion to make a like complaint to Modestus, who was *Præfectus-Prætorio Orientis* under Valens, of some who had infringed the privilege of the clergy in exacting tribute of them against the laws. 'The ancient way of taxing,' says he, 'excused such as were consecrated to God, presbyters and deacons, from paying tribute; but now they who are set over this affair, pretending to have no warrant from your eminency to excuse them, have

[92] Ep. 159. (t. 1. p. 873 b.) Τούτων εἷς ἐστι καὶ ὁ συνδιάκονος ἡμῶν Εὐθάλιος· ὃν οὐκ οἶδ' ὅπως εἰς μείζω τάξιν μεταχωρήσαντα διαγράφειν ἐπιχειροῦσι χρυσὸν οἱ τῆς ἡγεμονικῆς τάξεως· τοῦτο μὲν ἀνεκτὸν φανήτω σοι καὶ χεῖρα ὄρεξον τῷ τε διακόνῳ καὶ τῷ κληρῳ παντὶ, καὶ πρὸ τῶν ἄλλων ἡμῖν, οἷς σοι μέλει.

[93] Ibid. (c.) Δεινότητα ἂν πάθοι, μόνος ἀνθρώπων μὴ τυγχάνων τῆς τῶν καιρῶν φιλανθρωπίας, καὶ τῆς διδομένης τοῖς ἱερατικοῖς παρὰ τῶν βασιλέων τιμῆς.

[94] Ep. 279. [al. 104.] ad Modest. (t. 3. part. 1. p. 284 e.) Τοὺς τῷ Θεῷ ἡμῶν ἱερωμένους, πρεσβυτέρους καὶ διακόνους, ὁ παλαιὸς κῆνσος ἀτελεῖς ἀφῆκεν. Οἱ δὲ νῦν ἀπογραψάμενοι, ὡς οὐ λαβόντες παρὰ τῆς ὑπερφυοῦς σου ἐξουσίας πρόσταγμα, ἀπεγράψαντο, πλὴν εἰ μή που τινὲς ἄλλως εἶχον ὑπὸ τῆς ἡλικίας τὴν ἄφεσιν.— Δεόμεθα οὖν μνημόσυνον τῆς σῆς εὐεργεσίας τοῦδ' [al. τοῦτο] ἡμῖν [ἐν]αφεθῆναι, παντὶ τῷ ἐπιόντι χρόνῳ ἀγαθὴν περί σου μνήμην διαφυλάττον, καὶ συγχωρηθῆναι κατὰ τὸν παλαιὸν νόμον τῆς συντελείας τοὺς ἱερατεύοντας, κ. τ. λ.

taxed them all, except such as could claim a privilege from their age.' Therefore his request to him was,—*συγχωρηθῆναι κατὰ τὸν παλαιὸν νόμον τῆς συντελείας τοὺς ἱερατεύοντας*,—*that the clergy might be exempt from tribute, according to the ancient laws.* St. Basil, in this passage, refers to two sorts of laws exempting persons from tribute: the one, those ancient laws of the heathen emperors, which only excused minors and superannuates from personal tribute; the other, those laws of Constantius and Valentinian, which exempted the clergy also, granting them that immunity which only minors enjoyed before. And this is the thing he complains of, that the clergy were not allowed the benefit of the Christian laws, but only those laws of the heathen emperors, whereby, if they chanced to be minors or superannuated, that is, under twenty or above sixty-five, they were excused, but not otherwise. From all which it evidently appears, that the clergy might claim a peculiar privilege by the laws to be exempted from personal tribute, and that this was not common to all the subjects of the empire, whatever Gothofred, and Pagi[95] from him, have suggested to the contrary.

But not excused for their lands and possessions.

3. The next sort of tribute was that which was exacted of men for their lands and possessions, which goes by several names in the Civil Law and ancient writers. Sometimes it is called *κανὼν*, as by Athanasius[96], where he complains how he was unjustly accused of imposing a tax upon Egypt for the use

[95] Crit. in Baron. an. 353. n. 10. [al. 13.] (t. 1. p. 479.) Data et hoc anno a Constantio lex 10. Codicis Theodosiani, de Episcopis, qua plenissima immunitas omnibus clericis conceditur, *ut ecclesiarum coetus concursu populorum ingentium frequentetur*, quemadmodum in ea lege dicitur. Crescentibus namque jam ubique ecclesiis de proficiente in dies religione Christiana ..... jam solito pluribus etiam immunitatibus homines ad clericatum invitandi visi sunt, præter veteres immunitates jam concessas. Prima itaque immunitas est a censibus, qui possessionum nomine fisco dependuntur. Quæ immunitas a censibus et vectigalibus postea sæpius infracta, præsertim sub Valente, ut constat ex duabus Gregorii Nazianzeni Epistolis, puta 159 et 156. Basilius quoque, Epistola 279 ad Modestum præfectum-prætorio Orientis, de eadem immunitate sub eodem Valente imperatore conculcata conqueritur, eamque instaurari petit, &c.

[96] Apol. 2. p. 788. (t. 1. part. 1. p. 141 b. n. 60.) *Πολλὰ μὲν οὖν ζητήσαντες καὶ μὴ εὑρόντες, ὕστερον μετὰ γνώμης τῶν περὶ Εὐσέβιον συντιθέασι, καὶ πλάττονται πρώτην κατηγορίαν διὰ Ἰσίωνος, καὶ Εὐδαίμονος, καὶ Καλλινίκου, περὶ στιχαρίων λινῶν, ὡς ἐμοῦ κανόνα τοῖς Αἰγυπτίοις ἐπιβαλόντος, καὶ πρώτους αὐτοὺς ἀπαιτήσαντος.*—[Conf. Sozom. l. 2. c. 22. (v. 2. p. 73. 33.) ..... *Πρώτην ὑπομένει γραφὴν ὡς χιτωνίων λινῶν φόρον ἐπιτιθείς, κ. τ. λ. Grischov.*]

of the Church of Alexandria. So in the Theodosian Code there is a whole title[97] *De Canone Frumentario Urbis Romæ*, which signifies the tribute of corn that was exacted of the African provinces for the use of the city of Rome. It is otherwise called *jugatio* from *juga*, which, as Gothofred[98] notes, signifies *as much land as a yoke of oxen could plough in a year*; and, because the taxation was made according to that rate, it had therefore the name of *jugatio* and *juga*. It has also frequently the name of *capitatio* and *capita*; and, because men's servants and cattle were reckoned into their taxable possessions as well as their lands, therefore in some laws[99] the one is called *capitatio terrena*, and the other *capitatio humana* and *animalium*, or *animarum descriptio*. These taxes were usually paid three times a year, once every four months; whence Sidonius Apollinaris[1] styles them *tria capita*, or *the monster with three heads*, which he desired the emperor Majorianus to free him from, that he might live and subsist the better; for thus he addresses himself to him in his poetical way:

Geryones nos esse puta, monstrumque tributum;
Hic capita, ut vivam, tu mihi tolle tria.

In which words, which none of the commentators rightly understood, he refers to a law of Valentinian's[2], and several others in the Theodosian Code; where this sort of tribute is required to be paid by three certain portions in a year, or once in four months, which in his phrase is the *tria capita*, or *monster with three heads*. The collectors of this tax were also hence called *cephalœotæ*, *collectors of the capitation*, in

[97] L. 14. tit. 15. (t. 5. p. 226.) Ne pessimus panis, &c.—It. l. 11. tit. 9. de Distrahend. Pignoribus, leg. 1. (t. 4. p. 86.).. Eo quod vestes canonicas vel equos minime intulerunt, &c.

[98] In Cod. Theod. l. 13. tit. 10. de Censu, leg. 2. (t. 5. p. 118. ad summ. col. dextr.) ... Ego juga putem dicta terræ modum, cui colendo per annum jugo boum opus est.

[99] Vid. Cod. Theod. l. 11. tit. 29. de Collat. Donat. leg. 6. (t. 4. p. 155.) Exceptis his, quæ in capitatione humana atque enim alium diversis qualiacumque concessa sunt; ita ut omnium, quæ prædicto tempore, atque etiam sub inclutæ recordationis avo nostro in terrena sive animarum descriptione revelata sunt, &c.

[1] Carm. 13. ad Majorian. (p. 141. 19.)

[2] Ap. Cod. Theod. l. 11. tit. 1. de Annon. et Tribut. leg. 15. (t. 4. p. 26.) Unusquisque annonarias species, pro modo capitationis et sortium, præbiturus, per quaternos menses anni curriculo distributo, tribus vicibus summam collationis implebit.

some laws[3] of the Theodosian Code: and because this tribute was commonly paid in specie, as in corn, wine, oil, iron, brass, &c., for the emperor's service; therefore it is often called *specierum collatio;* and, being the ordinary standing tax of the empire, it is no less frequently styled[4] *indictio canonica*, in opposition to the *superindicta et extraordinaria*, that is, such taxes as were levied upon *extraordinary occasions*. I have noted these things here all together, that I may not be put to explain the terms at every turn hereafter, as I have occasion to make use of them, which are indeed a little uncommon, and not easily understood, but by such as are conversant in the Civil Law.

Now to the question in hand, whether the clergy in general were exempt from this ordinary canonical tribute laid upon men's goods and possessions? I answer in the negative against Baronius, who asserts the contrary. Some particular Churches, indeed, had special favours granted them by indulgent princes, to exempt them from all tribute of this kind; but those very exceptions prove, that what was matter of grace to some particular Churches could not be the common privilege of all Churches. Theodosius Junior[5] granted a special exemption to the Church of Thessalonica, 'that she should pay no capitation for her own estate, provided she did not take other lands into her protection, to the detriment of the commonwealth, under the pretence of an ecclesiastical title.' He also allowed the Churches of Constantinople and Alexandria the same privilege, upon the like condition[6], 'that they should not take any vil-

[3] L. 11. tit. 24. de Patrocin. Vicor. leg. 6. (ibid. p. 178.) Nequaquam cephalæotis, hirenarchis, [leg. irenarchis,] [Vid. Du Fresne, Med. et Infim. Latinit. in voce. Ed.] logographis chomatum, et cæteris liturgis, sub quolibet patrocinii nomine, publicis functionibus denegatis, &c.

[4] Vid. Cod. Theod. l. 6. tit. 26. de Proximis Comitibus, &c. leg. 14. (t. 2. p. 158.) Quamvis innumeris legibus scriniorum gloria decoretur, jubemus tamen, ut primo omnium sit eorum secura possessio ab omnibus sordidis muneribus excusata. Superindictum non timeant, venalitium non petantur, solumque canonicæ indictionis præstent tributum. Glevalis auri solutionem nesciat labore dignitas conquisita, extraordinarium munus ignoret, &c.

[5] Ibid. l. 11. tit. 1. de Annon. et Tribut. leg. 33. (t. 4. p. 42.) Sacrosancta Thessalonicensis ecclesia civitatis excepta: ita tamen ut aperte sciat, propriæ tantummodo capitationis modum beneficio mei numinis sublevandum: nec externorum gravamine tributorum rempublicam ecclesiastici nominis abusione lædendam.

[6] Tit. 24. de Patrocin. Vicor. leg. 6. (ibid. p. 178.) Quicquid...ecclesiæ venerabiles, (id est, Constantinopolitana et Alexandrina) posse-

lages, great or small, into their patronage, to excuse from paying their ancient capitation.' Gothofred is opinion, that in the beginning of Constantine's reign, wh Church was poor, and her standing revenues but sma estates and possessions were universally excused from t for there is a law in the Theodosian Code[7], which may terpreted to this purpose; though the words are so ob that, without the help of so wise an interpreter, one hardly find out the sense of them. However, admitting to signify such a privilege, it is certain it lasted not years: for in the next reign under Constantius, whe Church was grown pretty wealthy, all the clergy that possessed of lands were obliged to pay tribute in the manner as all others did; as appears from a law of Co tius, directed to *Taurus, Præfectus-Prætorio,* which extant in both the Codes[8]. This is further evident fr testimony of Valentinian, who, in an Epistle to the bish Asia recorded by Theodoret[9], says 'all good bishops th themselves obliged to pay tribute, and did not resist th perial power." And thus matters continued to the ti Honorius and Theodosius Junior, in one of whose laws

disse deteguntur, id pro intuitu religionis, ab his præcipimus firmiter retineri: sub ea videlicet sorte, ut in futurum functiones omnes quas metrocomiæ debent, et publici vici pro antiquæ capitationis professione debent, sciant subeundas.

[7] L. 11. tit. 1. de Annon. et Tribut. leg. 1. (ibid. p. 6.) Præter privatas res nostras, et ecclesias catholicas, et domum clarissimæ memoriæ Eusebii ex consule, et ex magi-

(t. 4. p. 72.) where the same occur.

[9] L. 4. c. 8. (v. 3. p. 155. Τὰ δημόσια κατὰ νόμους εἰσὶ ἴσασι, καὶ οὐκ ἀντιλέγουσι κρατοῦντος ἐξουσίᾳ.

[10] Vid. Cod. Theodor. l. 2. de Episc., &c. leg. 40. (79.) Placet, rationabilis con nore perpenso, destricta mo ne præscribere, a quibus sp necessitatibus ecclesiæ urbiu

Church lands are still made liable to this ordinary or canonical tribute, as it is there worded, though excused from all other. So little reason had Baronius to assert with that confidence, 'that no prince, except Julian the Apostate, and Valens the Arian, and the younger Valentinian, who was under the conduct of an Arian woman, ever exacted any tribute of the clergy;' when, as it appears, every emperor after Constantine did exact it; and Baronius could not be ignorant of this, having viewed and perused the Theodosian Code, where these things are recorded.

Of the tribute called *aurum tironicum*, *equi canonici*, &c.

4. If in any thing of this tribute they were exempt, it must be from the obligation some provinces lay under to furnish the emperors with *new soldiers*, called *tirones*, and fresh horses for the wars; which, because they were exhibited by way of tribute, are called in the law *equi canonici*, from the Civil Law term *canon* and *canonica*, which, as I observed before, signifies the tribute that was laid upon men's lands and possessions. Sometimes this tribute was exacted in money instead of horses, and then it was called[11] *equorum canonicorum adæratio*, *horse-money*. In like manner as the sum that was paid instead of the *tirones* was called *aurum tironicum* and *stratioticum*, *soldiers-money*, which we find mentioned in Synesius[12], where, speaking of Andronicus, governor of Ptolemais, he says he set one Thoas to collect this *aurum tironicum;* which, the editor by mistake says was so called, *quia solvebatur tironibus, because it was paid to the tirones:* whereas, indeed, it was the money that was paid instead of the *tirones*, by way of tribute, into the treasury of the empire. Now, that some bishops, at least in Afric, were excused from this tribute, is concluded by some learned men from a law of Theodosius Junior[13], which excuses certain persons from it, under the title

tatis sarcina repentina depoposcerit, ejus functionibus ascribatur.

[11] Cod. Theod. l. 11. tit. 17. de Equor. Collat. leg. 3. (t. 4. p. 138.) Equos canonicos militaris diœceseos Africanæ ..... jussimus adærari, &c.

[12] Ep. 79. ad Anastas. p. 293. (p. 224 d. 4.).... Ταῖς ἀπαιτήσεσιν ἔταξε τοῦ στρατιωτικοῦ χρυσίου τοῦ καλουμένου τιρωνικοῦ.

[13] Cod. Theod. l. 7. tit. 13. de Tiron. leg. 22. (t. 2. p. 391.)..... Præcipimus proconsularis provinciæ non eandem sacerdotalium, quæ est de cæteris, in præbendis tironibus habendam esse rationem: non iniquе siquidem ea potissimum ab hoc officio provincia videtur excepta, quæ omnium intra Africam provinciarum obtinet principatum, cujusque majoribus fatigantur expensis.

of *sacerdotales*, in the proconsular Afric; and that, because they were otherwise obliged to be at great expenses in that province. But now the question is,—who are meant by the name *sacerdotales?* The learned Petit[14] says it denotes Christian bishops; and if so, the case would be clear as to their exemption. But Gothofred[15] rather inclines to think it means the high priests among the heathens, who were still in being and obliged by their office to be at great expenses in exhibiting the *ludi sacerdotales* to the people. I will not venture to decide so nice a dispute betwixt two such learned men, but think, however, I may safely infer even from Gothofred's notion,—that, if the Christian emperors were so liberal to the heathen high priests, they would at least be as liberal to their own bishops, and grant them the same immunity. But I leave this matter to further inquiry.

e Church iged to h bur- is as the ds were l to be- e their ation.

5. One thing is more certain, that whatever burdens any lands were originally encumbered with, they were liable to the same even after their donation to the Church, unless discharged of them by some particular grant and favour of the emperors. This we learn from a memorable instance in a particular case, wherein St. Austin was concerned, the account of which we have from his own relation. For the right understanding of which I must first acquaint the reader, that by the laws of the Roman polity many times a company of tradesmen were so incorporated into a society, for the service of the empire, that their estates were tied to that office and duty, so that, whoever had the propriety of them, he was bound to the duty annexed to them. Thus it was particularly with the incorporated company of the *navicularii* of Afric and Egypt, who were concerned in transporting the yearly tribute of corn from those provinces to Rome and Constantinople. Their estates were tied to the performance of this service, as appears from a title in the Theodosian Code[16], which is *De Prædiis Navicularium*. And they were so tied, that if any ship chanced to be lost in the

[14] Variar. Lection. l. 3. c. 1. (p. 28.) Cum igitur indicti sacerdotibus et episcopis Africæ exigerentur tirones, atque Numidiæ episcopi eos conferrent et præberent, &c.... Quia si tirones, quos conferebant episcopi, militiam deseruissent, et oppressi fuissent, redhibere illos tirones tenebantur, &c.

[15] In Cod. Theod. l. 7. tit. 13. leg. 22. (t. 2. p. 391.) Sacerdotes quoque provinciarum, paganos scilicet, tironibus præstandis obnoxios fuisse, &c.

[16] L. 13. tit. 6. (t. 5. pp. 92, seqq.)

passage, the whole body was obliged to make good the effects to the emperor's coffers[17], and the master of the ship was obliged to give up his men that escaped the shipwreck to be examined by torture afterwards; otherwise he must have borne the whole burden himself alone, on presumption that he was guilty of some fraud in the matter against the rest of his society. Now it happened, while St. Austin was bishop of Hippo, that one of these *navicularii*, Boniface, a master of a ship, left his whole estate to the Church, which yet St. Austin refused to receive, because of these burdens that lay upon it. 'For,' says he[18], 'I was not willing to have the Church of Christ concerned in the business of transportation. It is true, indeed, there are many who get estates by shipping; yet there is one temptation in it: if a ship should chance to go and be lost, then we should be required to give up our men to the rack, to be examined by torture according to law, about the drowning of the ship, and the poor wretches that had escaped the waves must undergo a new severity from the hands of the judge. But we could not thus deliver them up; for it would not become the Church so to do. Therefore she must answer the whole debt to the exchequer. But whence should she do this? for our circumstances do not allow us to keep a treasury. A bishop ought not to lay up gold in a bank, and meanwhile refuse to relieve the poor.' These words of St. Austin do plainly evince what has been observed, that the donation of an estate to the Church did not ordinarily free

[17] Ibid. tit. 9. de Naufragiis, leg. 2. (p. 105.) Si quando causatio est de impetu procellarum, medium ex his nautis numerum navicularius exhibeat quæstioni..... quo eorum tormentis plenior veritas possit inquiri.

[18] Serm. 49. de Divers. t. 10. p. 520. [al. Serm. 355. de Vita et Moribus Clericorum, c. 4.] (t. 5. p. 1382 f.) Bonifacii hæreditatem suscipere nolui; non misericordia, sed timore. Navicularium nolui esse ecclesiam Christi. Multi sunt quidem qui etiam de navibus acquirunt: tamen una tentatio est, [si] iret navis et naufragaret: homines ad tormenta daturi eramus, ut de submersione navis secundum consuetudinem quæ rerentur: et torquerentur a judice qui essent a fluctibus liberati. Sed non eos daremus: nullo pacto enim hoc facere deceret ecclesiam. Onus ergo fiscale persolveret. Sed unde persolveret? En! thecam nobis habere non licet, &c. [The Ed. Bened. reads *enthecam*, and notes in the margin, *Entheca* est gazæ repositorium. According to Du Fresne, Glossar. Med. et Infim. Latinit., *theca* is *capsa sanctorum reliquiis instructa;* and *entheca* he cites as used by Eadmer, speaking of the burial of the body of St. Wilfrid by Odo, for *the high altar*. *Theca* is simply *a box* or *bag: entheca, a bank* or *store*. Ed.]

it from the tribute or duty that the public otherwise demanded of it; but if the Church would receive it, she must take it with the usual burdens that lay upon it. I confess indeed the sense of the passage, as it lies in St. Austin without a comment, is not very easy to be understood; nor have any of his editors, no, not the last Benedictines, thought fit to expound it; but for that reason, as well as to make good my own observation, I have recited it in this place, and explained it from those laws and customs of the empire to which it manifestly refers. And such a digression, if it were a digression, I presume would not be unacceptable to the curious reader.

Of the chrysargyrum or lustral tax and the exemption of the clergy from it.

6. But now to proceed. Another sort of tribute, in which the clergy had some concern, was the tax upon trade and commerce. This in ancient writers[19] is known by the name χρυσάργυρον, *chrysargyrum, the silver-and-gold-tax*, because it was paid in those coins. Zosimus[20] indeed makes the *chrysargyrum* another thing, viz. a scandalous tax exacted of lewd men and women; and in his spite to Christianity he represents Constantine as the author of it: in which his groundless calumny he is abundantly refuted by Baronius[21], and more espe-

[19] Vid. Evagr. l. 3. c. 39. (v. 3. p. 371. 20.) Ὑπερμεγεθες δὲ κατεπράχθη αὐτῷ καὶ θεῖόν τι χρῆμα, ἡ τοῦ καλουμένου χρυσαργύρου ἐς τέλεον κωλύμη.

[20] L. 2. (p. 114.) Κωνσταντῖνος ταῦτα διαπραξάμενος διετέλεσε δωρεαῖς οὐκ ἐνδέοντι γινομέναις, ἀλλὰ εἰς ἀναξίους καὶ ἀνωφελεῖς ἀνθρώπους τοὺς φόρους ἐκδαπανῶν· καὶ τοῖς μὲν εἰσφέρουσι γινόμενος φορτικὸς, τοὺς δὲ μηδὲν ὠφελεῖν δυναμένους πλουτίζων· τὴν δὲ ἀσωτίαν ἠγείτο φιλοτιμίαν· οὗτος καὶ τὴν εἰσφορὰν ἐπήγαγε χρυσίου τε καὶ ἀργύρου πᾶσι τοῖς ἁπανταχοῦ γῆς μετιοῦσι τὰς ἐμπορίας, καὶ τοῖς ἐν ταῖς πόλεσι πανωνίαν προτιθεῖσι, μέχρι καὶ τῶν εὐτελεστάτων· οὐδὲ δυστυχεῖς ἑταίρας ἔξω ταύτης ἐάσας τῆς εἰσφορᾶς· ὥστε ἦν ἰδεῖν, μέλλοντος τοῦ τετραετοῦς ἐνίστασθαι χρόνου, καθ' ὃν ἔδει τοῦτο τὸ τέλος εἰσφέρεσθαι, θρήνους ἀνὰ πᾶσαν πόλιν καὶ ὀδυρμοὺς· ἐνστάντος δὲ, μαστιγας καὶ βασάνους ἐπιφερομένας τοῖς σώμασι τῶν διὰ πενίας ἐσχάτης ζημίαν ὑπενεγκεῖν μὴ δυναμένων· ἤδη δὲ καὶ μητέρες ἀπέδοντο τοὺς παῖδας, καὶ πατέρες ἐπὶ πορνείου θυγατέρας ἐστήσαντο, ἐκ τῆς τούτων ἐργασίας ἀργύριον τοῖς τοῦ χρυσαργύρου πράκτορσιν εἰσενεγκεῖν ἐπειγόμενοι, κ. τ. λ.

[21] An. 330. n. 36. (t. 3. p. 426 e.) .... Quod de tributis a Constantino impositis exstet adversus eum querela Zosimi, sunt hæc accuratius examinanda: quod enim ait, auri argentique collationem impositam negotiatoribus, omnibus dardanariis, nempe fraudulentis venundatoribus annonæ, atque personis quibuscumque vilissimis ac meretricibus, confundit plane diversa tributorum genera: nam quod impositum erat negotiatoribus, proprie auri et argenti erat, dictumque chrysargyrum, diversumque ab eo, quod pendere consueverant lenones, meretrices, et exoleti: quod quidem tantum abest ut a Constantino Christiano principe impositum fuerit, ut etiam longe ante Alexandri imperatoris tempora Romæ exigi consueverit; quod idem imperator æquissimus, cum ex turpi lucro colligeretur, vetuit in ærarium inferri; non tamen abstulit, sed ad publicas fabricas deputavit, &c.

cially by the learned Gothofred[22], and Pagi[23], whom the curious reader may consult. Here I take the *chrysargyrum* in the common notion, only for the tax upon lawful trade and commerce, which St. Basil[24] calls πραγματευτικὸν χρυσίον, *commerce-money.* In the Civil Law it is known by the name of *lustralis collatio, the lustral tax,* because it was exacted at the return of every *lustrum* or four years' end. It was indeed a very grievous tax, especially upon the poor; for not the meanest tradesman was exempted from it. Evagrius[25] says it was exacted *even of those who made begging their trade,*—ἐξ ἐράνου τὴν τροφὴν πορίζουσι. Whence Libanius[26] calls it 'the intolerable tax of silver and gold, that made men dread the terrible *pentaëteris* or *return of every fifth year.*' And for the same reason, as the author under the name of St. Austin[27] takes notice, it was commonly called *aurum pannosum, the poor man's tax,* or as some editions read it, *aurum pœnosum, the cruel tax,* because it was exacted of the poor. But now a particular respect was paid to the Church in this matter; for when her revenues were scanty, and not sufficient to give all the clergy a decent maintenance, the inferior orders, the *clerici,* were allowed to traffic to support themselves, without paying any tribute of this nature. This indulgence was first granted by Constantius[28] without any restriction, 'that if any of them were minded to follow a calling to maintain themselves,

[22] In Cod. Theod. l. 13. tit. 1. de Lustral. Collat. leg. 1. (t. 5. p. 4.) Sequitur præcipuum crimen, &c.

[23] Crit. in Baron. an. 330. n. 6. (t. 1. p. 426.) Calumnia, &c.

[24] Ep. 243. [al. 88.] Sine Inscript. (t. 3. part. 1. p. 257 e.) Τὴν δυσκολίαν τῆς συγκομιδῆς [τοῦ] πραγματευτικοῦ χρυσίου, πάντων μάλιστα ἡ σὴ τιμιότης κατέμαθε.

[25] L. 3. c. 39. (v. 3. p. 371. 30.) Ἐπέκειτο δὲ ἑτέροις τε πολλοῖς ἐξ ἐράνου τὴν τροφὴν πορίζουσι, καὶ ταῖς ἀπεμπολούσαις τὴν ὥραν τοῦ σώματος, κ. τ. λ.

[26] Orat. 14. cont. Florent. (t. 2. p. 427 d. 11.)... Τοῦτο δέ ἐστιν ὁ ἀφόρητος φόρος, ἄργυρος καὶ χρυσὸς, φρίττειν προσιούσας ποιῶν τὰς δεινὰς πεντετηρίδας· κ. τ. λ. [Thucydides, l. 3. c. 104, has πεντετηρὶς, and in Pindar, O. 3. 38, we find πενταετηρὶς. Ed.]

[27] Quæst. in Vet. et Nov. Test. 75. (t. 3. append. p. 73 e.) Didrachma capitum vel tributi exactio intelligitur; quod nunc pannosum aurum appellatur, quia et pauperes exiguntur. [The Ed. Bened. reads the first clause thus, — *Didrachma capitum exactio intelligitur, non prædiorum.* Ed.]

[28] Cod. Theod. l. 16. tit. 2. de Episc., &c. leg. 8. (t. 6. p. 32.) ... . Si qui de vobis alimoniæ causa negotiationem exercere volunt, immunitate potientur. — Ibid. l. 13. tit. 1. de Lustral. Collat. leg. 1. (t. 5. p. 3.) Negotiatores omnes protinus convenit aurum argentumque præbere: clericos excipi tantum, [et] qui copiatæ appellantur, nec alium quenquam esse immunem.

they should be freed from custom.' But, that none of them might abuse this privilege to covetousness, they were confined afterwards by several laws to trade within a certain sum, which if they exceeded they were to pay custom for it. This appears from a second law[29] of the same Constantius, and another[30] of Gratian's, where the Italian and Illyrican *clerici* are confined to the sum of ten solids, and the Gallican to fifteen. Yet if any would trade further, only with a charitable design, to raise funds and *monte-pios* for the use of the poor, they were allowed, by two other laws[31] of Constantius, to employ what sums they pleased, and pay none of this tribute for them. It is to be noted further, that this immunity was granted by Honorius[32] to the Catholic clergy only, and to no others. And the privilege was esteemed so great, that some covetous tradesmen would use means to get themselves admitted to a titular office among the inferior clergy of the Church, with no other design but to enjoy this immunity, and to follow their trade without paying the lustral duty. Against whose fraudulency and corruptions the emperor Arcadius made a severe law[33], commanding 'all such, if they followed their merchandize, to be deprived of this immunity of the clergy; or if they would devote themselves to the sacred service, then they should abstain from all such fraudulent and crafty ways of gain: for,' saith he, 'the wages of religion and craft are very different from one another.' And for this reason probably, when the revenues of

[29] Ibid. leg. 15. (t. 6. p. 42.) Clerici vero, vel hi quos copiatas recens usus instituit nuncupari, ita a sordidis muneribus debent immunes atque a collatione præstari, si exiguis admodum mercimoniis tenuem sibi victum vestitumque conquirent.

[30] Ibid. l. 13. tit. 1. de Lustral. Collat. leg. 11. (t. 5. p. 14.) Etsi omnes mercatores spectat lustralis auri depensio, clerici tamen intra Illyricum et Italiam in denis solidis; intra Galliam in quinis denis solidis immunem usum conversationis exerceant. Quicquid autem supra hunc modum negotiationis versabitur, id oportet ad functionem aurariam devocari.

[31] Ibid. l. 16. tit. 2. de Episc., &c. leg. 10. (t. 6. p. 34.) Negotiatorum dispendiis minime obligentur [clerici,] cum certum sit quæstus, quos ex tabernaculis [leg. tabernis] atque ergasteriis colligunt, pauperibus profuturos.—Ibid. leg. 14. (p. 40.).... Si quid .... mercatura .... congesserint, in usum pauperum atque egentium ministrari oportet, &c.

[32] Ibid. leg. 36. (ibid. p. 74.)..... Catholicæ religionis clerici .... ab auraria pensione habeantur immunes.

[33] Ibid. l. 13. tit. 1. de Lustral. Collat. leg. 16. (t. 5. p. 17.) Omnes corporatos ..... præcipimus conveniri, ut, aut commoda negotiatorum sequentes a clericorum excusatione discedant, aut Sacratissimo Numini servientes versutis quæstibus .. abstineant; distincta enim stipendia sunt religionis et calliditatis.

the Church were become sufficient to maintain all the clergy. Valentinian the Third enacted a law[34], 'that none of the clergy should negotiate as formerly; otherwise they should come under the cognizance of the secular judges, and not enjoy the privilege of the clergy.' Evagrius[35] adds, that the emperor Anastasius quite abolished the *chrysargyrum* or *lustral tax* itself: and that is the reason why there is no mention at all made of it afterward in the Justinian Code.

Of the *metatum*. What meant thereby, and the exemption of the clergy from it.

7. Another sort of duty incumbent on the subjects of the empire, was the burden and charge of giving entertainment to the emperor's court and retinue, when they had occasion to travel; or to the judges, or soldiers, as they passed from one place to another. This the Civil Law calls *metatum*, and the Greeks μιτάτον, from the word *metatores*, which signifies the emperors' *harbingers* or *forerunners*, who were sent before to provide lodging and entertainment for them. In allusion to which, Cyprian, speaking of Rogatian, an eminent presbyter of Carthage, who was the first martyr that was sent to prison in the Decian persecution, says[37], 'he was *metator* to the rest, *their harbinger* that went before them to prepare a place in prison for them.' And in the same sense Lucian the martyr, in Cyprian[38], elegantly styles Decius himself, *metatorem Antichristi, the harbinger of Antichrist*, who by that terrible persecution made preparation for his coming into the world. From this notion of the word *metator*, that duty of yielding entertainment to the emperor's retinue, &c. has the name of *metatum* in the two Codes of the Civil Law. But the clergy were excused from this by a law of Constantius[39], where he says 'they should not be obliged to entertain strangers;' by which he cannot be supposed to excuse them from the Christian duty

[34] Novel. 12. ad calc. Cod. Theod. (t. 6. append. p. 26.) Jubemus ut clerici nihil prorsus negotiationis exerceant. Si velint negotiari, sciant se judicibus subditos, clericorum privilegio non muniri.

[35] L. 3. c. 39. See s. 6. n. 19. preceding.

[36] Cod. Theod. l. 7. tit. 8. de Onere Metati. (t. 2. pp. 352, seqq.)—Cod. Justin. l. 12. tit. 41. de Metatis. (t. 5. p. 304. ad calc.)

[37] Ep. 81. [al. 6.] (p. 178.) ..... Primum hospitium vobis in carcere præparavit, et metator quodammodo vester nunc quoque vos antecedit.

[38] Ap. Cypr. Ep. 20. [al. 22.] (p. 202.) Nam tu, Deo volente, ipsum anguem majorem, metatorem Antichristi, non tantum confessus deteruisti vocibus illis, &c.

[39] Cod. Theod. l. 16. tit. 2. de Episc., &c. leg. 8. (t. 6. p. 32.) Præterea neque hospites suscipietis.

of hospitality to the indigent, but from this civil duty of the Roman state, to which other subjects were obliged. Whence Gothofred[40] very truly observes, 'that the clergy in this respect had equal privileges with senators' houses, and Jewish synagogues, and Christian churches; all which were exempt from this duty of entertaining. And if the Greek collector of the Ecclesiastical Constitutions out of the Code, published by Fabrotus, mistake not, this immunity extended to their servants also. For he says[41], 'neither the clergy nor their servants were subject to any new impositions, or to this burden called the *metatum*.'

Of the *superindicta* and *extraordinaria*. The clergy exempt from them.

8. And hence it appears further, that they were freed from all exactions, which went by the name of *superindicta* and *extraordinaria*, that is, such impositions as the emperors thought necessary to lay upon the empire, or any part of it, *beyond the ordinary canonical taxes*, upon great exigencies and extraordinary occasions. For as the ordinary taxes were called *indictions*, so these extraordinary were called *superindictions*[42]. From these the clergy were universally exempted by several laws of Christian emperors. As by that of Constantius in the Theodosian Code[43], where he refers to a preceding law to the same purpose. 'According to the decree,' says he, 'which you are said to have obtained heretofore, no one shall impose any new taxes upon you or your servants, but you shall enjoy a perfect immunity in that respect.' Gothofred upon the place says, by this law 'they were freed from all extraordinary tribute, and only bound to the ordinary and canonical taxes.' And so it was in the time of Honorius and Theodosius Junior,

[40] Paratitl. ad Cod. Theod. l. 7. tit. 8. de Onere Metati. (t. 2. p. 264.) Immunes scilicet erant a metato clerici, senatorum domus, synagogæ Judæorum, et religionum loca.

[41] Collect. Constit. Eccles. ex Cod. l. 1. tit. 3. s. 1. (ap. Corp. Jur. Canon. t. 2. p. 1253.) Οἱ κληρικοὶ καὶ τὰ ἀνδράποδα αὐτῶν οὐχ ὑπόκεινται καιναῖς εἰσφοραῖς ἢ μιτάτοις. [Vid. ap. Basilic. l. 3. tit. 1. c. 50. (Fabrot. t. 1. p. 142.) Κληρικὸς ἢ οἰκέτης αὐτοῦ, μὴ βαρείσθω καιναῖς συντελείαις, μηδὲ μιτάτα διδότωσαν. Ed.]

[42] Vid. Cod. Theod. l. 11. tit. 6. de Superindicto. (t. 4. pp. 63, seqq.) et Cod. Justin. l. 10. tit. 18. de eodem. (t. 5. p. 31.) Nihil super indictorum, &c.

[43] L. 16. tit. 2. de Episc., &c. leg. 8. (t. 6. p. 32.) Juxta sanctionem, quam dudum meruisse perhibemini, et vos et mancipia vestra nullus novis collationibus obligavit [id est, obligabit,] sed vacatione gaudebitis.—Cf. Gothofr. in loc. (ibid. col. dextr.) Ab. extraordinariis . . . . . collationibus immunes facti fuerunt, at nondum ab ordinariis et canonicis.

anno 412, when, by a law granting many other privileges to the Church relating to her possessions, they insert this among the rest[44], 'that no extraordinary tribute or superindiction, but only the common canonical tax, should be required of her.' Which was finally confirmed by Justinian[45], and made the standing law of the Roman empire.

9. As to some other duties and burdens, the laws a little varied. For sometimes the clergy were exempted, and sometimes not; as particularly in the case of contributing to the maintenance and reparation of public ways and bridges. By the forementioned law[46] of Honorius, anno 412, all church-lands are excused from those duties, and it is called an injury to bind them to any contribution toward them. Yet not long after, anno 423, Theodosius Junior made a law[47] for the Eastern empire, which excepts no order of men from bearing a share in this matter, but obliges, as well his own possessions, (called *domus divinæ* in the style and language of those times,) as churches, to take their proportion in it. And about the same time Valentinian the Third made a law[48] to the same effect in the West. Justinian confirmed the law of Theodosius by inserting it into his Code[49], and added another law of his own among his Novels[50], where though he grants the clergy an

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[44] Ibid. leg. 40. (p. 79.) Nihil extraordinarium ab hac superindictitiumve flagitetur.... Nihil præter canonicam illationem ejus functionibus ascribatur.

[45] Novel. 131. c. 5. (t. 5. p. 583.) Ad hæc sancimus omnium sanctarum ecclesiarum possessionibus, neque sordidas functiones, neque extraordinarias descriptiones sustinere, &c.

[46] Cod. Theod. l. 16. tit. 2. de Episc., &c. leg. 40. (t. 6. p. 79.) Nulla jugatione, quæ talium privilegiorum sorte gratulatur, muniendi itineris constringat injuria;... nulla pontium instauratio; nulla translationem solicitudo gignatur.

[47] Ibid. l. 15. tit. 3. de Itiner. Muniend. leg. 6. (t. 5. p. 344.).... Ad instructiones reparationesque itinerum pontiumque nullum genus hominum.... cessare oportet. Domos etiam divinas, ac venerandas ecclesias tam laudabili titulo libenter ascribimus.

[48] Novel. 21. ad calc. Cod. Theod. (t. 6. append. 11.).... Sancimus, ut antiquatis omnibus privilegiis, quæ vel dignitatibus delata fuerunt, vel diversæ militiæ, collegia meruerunt, aut nomine venerandæ religionis obtentum est, omnis ubique census, qui non personarum est, sed agrorum, ad universa munia a nova duntaxat indictione, ut supra definivimus, absque ulla discretione cogatur in quarta parte.

[49] L. 1. t. 2. leg. 7. (t. 4. p. 35.) Ad instructiones itinerum pontiumque etiam divinas domos et venerabiles ecclesias tam laudabili titulo libenter ascribimus: quia non est inter sordida munera numeratum.

[50] Novel. 131. c. 5. (t. 5. p. 583. ad calc.) Si tamen itineris sternendi aut pontium ædificii vel reparationis opus fuerit, ad instar aliorum

immunity from extraordinary taxes, yet he adds, 'that if there was occasion to make a way or build or repair a bridge, then churches as well as other possessors should contribute to those works, if they had possessions in any city where such works were to be done.' [And so, anno 742, King Ethelbald[51], in the Synod of Cliff or Clovesho, granted an immunity to church-lands, excepting payments to an expedition and building bridges and castles.]

As also from the duty called *angariæ, parangariæ*, &c.

10. The laws varied likewise in another instance of duty required of the subjects, which was to furnish out horses and carriages for conveying of corn for the soldiers, and such other things as belonged to the emperor's exchequer. This duty in the Civil Law[52] goes by the name of *cursus publicus*, and *angariæ*, and *parangariæ*, and *translatio*, and *evectio*, and the horses used in this service are particularly called *paraveredi* and *equi cursuales*. Now the clergy at first were exempt from this service by two laws of Constantius made in the former part of his reign[53], which expressly excuse both their persons and their estates from the duty of the *parangariæ*. But by another law in the last year of his reign, anno 360, he revoked this privilege, obliging the clergy to *the duty of translation*, as it is there worded[54], by which he means this duty of furnishing horses and carriages for the emperor's service. And this he did, notwithstanding that the Council of Ariminum had petitioned for an immunity, being at a time when Constantius was displeased with them. However this law continued in force, not only under Julian, but under Valentinian and Theodosius, till by a contrary law[55] about twenty years after,

possessorum, hujusmodi opus et sanctas ecclesias et venerabiles domos complere, dum sub illa possident civitate, sub qua tale fit opus.

[51] [Vid. Spelman. Concilia. Lond. 1639. (t. 1. p. 231.).... Ut per omnia libertas, honor, auctoritas, et securitas Christi ecclesiæ a nulla persona denegetur, sed sit libera ab omnibus sæcularibus servitiis, et omnes terræ ad illam pertinentes; exceptis, expeditione, pontis et arcis constructione. ED.]

[52] Cod. Theod. l. 8. t. 5. de Cursu Publico, Angariis, et Parangariis. (t. 2. pp. 506, seqq.)—Cod. Justin. l. 12. tit. 51. (t. 5. p. 317.)

[53] Cod. Theod. l. 16. tit. 2. de Episc., &c. leg. 10. (t. 6. p. 34.) Parangariarum quoque parili modo [a clericis] cesset exactio.—Ibid. leg. 14. (p. 40.) Ad parangariarum quoque præstationem non vocentur, nec eorundem facultates atque substantiæ.

[54] Ibid. leg. 15. (p. 42.).... Ad universa munia sustinenda, translationesque faciendas, omnes clerici debeant attineri.

[55] Ibid. l. 11. tit. 16. de Extraord. et Sordid. Muner. leg. 15. (t. 4. p. 127.) Circa ecclesias, rhetores,

anno 382, they restored the clergy to their ancient privilege; which was further confirmed to them by Honorius[56], anno 412, whose law is still extant in both the Codes. Yet Theodosius Junior and Valentinian the Third, anno 440, took away their privilege again, and, by two laws[57], made church-lands liable to these burdens of the *angariæ*, *parangariæ*, &c., whenever the emperor should be upon any march or expedition, as well as all others. From all which it appears, that there was no certain rule observed in this matter, but the clergy had, or had not this privilege, according as the state of affairs would bear, or as the emperors were inclined to grant it.

Of the tribute called *denarismus*, *unciæ*, and *descriptio lucrativorum*, and the Church's exemption from it.

11. Besides these public taxes and duties, there was also one private tax, from which all lands given to the Church or to any charitable use were exempt by the laws of the empire. This in the Civil Law is called *denarismus* or *unciæ*, and *descriptio lucrativorum*. The reason of which names will be understood by explaining the nature of the tribute. It was a sort of tax paid, not to the emperors, but to the *curia* or *curiales* of every city, that is, to that body of men who were obliged by virtue of their estates to be *members of the court* or *common-council*, and bear the offices of their country. Now it sometimes happened, that one of these *curiales* left his estate to another that was not of the *curia;* and an estate, so descending, was said to come to him *ex causa lucrativa*, which, being opposed to *causa onerosa*, is when a man enjoys an estate by gift or legacy, and not by purchase. But now, lest in this case the giving away an estate from the *curia* might have brought a greater burden upon the remaining part of the *curiales*, the person so enjoying it was obliged to pay an annual tribute to

atque grammaticos eruditionis utriusque, vetus tomore durante, ... ne paraveredorum hujusmodi viris aut parangariarum præbitio mandetur, &c.

[56] Ibid. l. 16. tit. 2. de Episc., &c. leg. 40. (t. 6. p. 79.) Nulla translationum solicitudo gignatur, &c. al. signetur, as it is in the Justinian Code, l. 1. tit. 2. de Sacrosanct. Eccles. leg. 5.

[57] Cod. Justin. l. 2. tit. 2. leg. 11. (t. 4. p. 38.) Neminem ab angariis, vel parangariis, vel plaustris, vel quolibet munere excusari præcipimus, cum ad felicissimam expeditionem nostri numinis, omnium provincialium per loca, qua iter arripimus, debeant solita nobis ministeria exhiberi; licet ad sacrosanctas ecclesias possessiones pertineant.—It. l. 12. tit. 51. de Cursu Publico, leg. 21. (t. 5. p. 322.) Nullus penitus cujuslibet ordinis seu dignitatis, vel sacrosancta ecclesia, vel domus regia, tempore expeditionis excusationem angariarum, seu parangariarum habeat.

the *curia* of the city, which from the nature of his tenu
called *descriptio lucrativorum, the lucrative tax:* and b
every head of land, every *jugum* or *caput* as the law te
was obliged to pay annually a *denarius*, or *ounce of*
therefore the tax itself was called *unciæ* and *denarism*
in the laws of Theodosius the Great[58], cited in the m
Theodosius Junior and Valentinian the Third made th
double[59], laying four *siliquæ*, which is two ounces of
upon every head of land. According to which rate,
possessor, who held any estate by the aforesaid tenur
obliged to pay tribute out of it to the *curia* of the c
which he belonged. But if any such estate was given
Church, it was exempt from this tribute, if not before,
least in the time of Justinian. For there are two laws
to this purpose, the one in his Code[60], the other in his No
in both which such lands, as any of the *curiales* gave
church, or a monastery, or hospital of any kind, are
cularly excepted from this *lucrative* tax; and that *p*
intuitu, as it is there worded, '*in regard to religion*, a
cause it was fit to put some difference between things
and divine.' But whether the Church enjoyed this imm
under any other prince before Justinian, is what I lea
curious to make the subject of a further inquiry; wh
proceed to consider another sort of immunity of the c

[58] Cod. Theod. l. 12. tit. 1. de Decurionibus, leg. 107. (t. 4. p. 452.) Quicunque hæres curiali, vel legitimus, vel electus testamento graduve successerit ... vel si quem liberalitas locupletaverit forte viventis, quos a curiæ nexu conditio solet dirimere, sciant, pecuniariis descriptionibus, ... ad denarismum sive uncias, sese auctoris sui nomine retinendum.—It. leg. 123. (ibid. p. 467.) Quidquid ex substantia curialium ad unumquemque diversa largiendi occasione pervenerit, denarismo vel unciis habeatur obnoxium in ea parte, in qua auctoris sui nomine fuerat retentatum.

[59] Ibid. tit. 4. de Imponenda Lucrativis Descriptione, leg. unic. (p. 529.) Hi, qui ex lucrativa causa possessiones detinent, quæ aliquando curialium fuerint, pro singulis earum jugis et capitibus qu siliquas annuæ [leg. annuas] bus nomine descriptionis exs

[60] Cod. Justin. l. 1. tit. 2. crosanct. Eccles. leg. 22. (t. 4. Sancimus res ad venerabiles sias, vel xenones, vel mon vel orphanotrophia, vel ger mia, vel ptochotrophia .... dentes ex qualicunque curial alitate .... a lucrativorum i tionibus liberas immunesque Cur enim non faciamus dis inter res divinas et humanas

[61] Novel. 131. c. 5. (t. 5. Si quæ vero res ex cu substantiis ad quamlibet sac tam ecclesiam, aut aliam ve lem domum, secundum lege runt, aut postea venerint, eas esse sancimus descripti crativorum.

which was their exemption from civil offices in the Roman empire.

12. Of these offices some were personal and others predial, that is, such as were tied to men's estates and possessions. Some again were called *honores, honourable offices;* and others *munera sordida, mean and sordid offices.* Now, from all these, as well patrimonial as personal, honourable as well as sordid, by the first laws of Constantine, the clergy were universally and entirely exempt. But after-ages made a little distinction as to such of the clergy, who enjoyed patrimonial secular estates of their own, distinct from those of the Church: for such of the clergy were sometimes forced to leave their ecclesiastical employment, and bear the civil offices of the empire;—of which more by and by. But as to offices, which were purely personal, the clergy were entirely exempt from them; as appears from a law of Valentinian and Gratian[62], still extant in both the Codes, where every order of the clergy, not only presbyters and deacons, but subdeacons, exorcists, readers, door-keepers, and acolythists, are specified as exempt from personal offices: and that is the meaning of that law of Constantius, mentioned both by Athanasius[63], and Socrates[64], and Sozomen[65], where they say he granted the clergy of Ægypt ἀλειτουργησίαν and ἀτέλειαν λειτουργημάτων,—exemption from such offices as had been forced upon them in the Arian persecution,

The clergy exempt from all civil personal offices.

13. Again, for those called *sordid offices,* not only the persons of the clergy, but the estates of the Church were discharged of all burdens of that nature. Constantius made two

And from sordid offices both predial and personal.

[62] Cod. Theod. l. 16. tit. 2. de Episc., &c. leg. 24. (t. 6. p. 56.) Presbyteros, diaconos, subdiaconos, exorcistas, lectores, ostiarios etiam, et omnes perinde qui primi sunt, personalium munerum expertes esse præcipimus.—The Justinian Code, l. 1. tit. 3. leg. 6. (t. 4. p. 75.) has the same, only instead of the words *omnes qui primi sunt,* it reads *acolythos.* [Annotat. in loc. Hoc verbum in uno duntaxat manuscripto reperi, cum in cæteris desit. Et in C. Th. sunt qui clericos fuisse negent. Qua de re amplius videndum est. ED.]

[63] Apol. 2. t. 1. p. 772. (t. 1. part. 1. p. 136 e. n. 7.).... Τὴν ἀτέλειαν, ἧς ἔτυχον πάλαι οἱ ἅμα αὐτῷ κληρικοὶ, τούτοις βεβαιωθῆναι προσηκόντως.

[64] L. 2. c. 23. (v. 1. p. 116. 3.)... Τὴν ἀλειτουργησίαν, ἣν οἱ αὐτοῦ κληρικοὶ εἶχον, τὴν αὐτὴν πάλιν θέλομεν ἔχειν.

[65] L. 3. c. 21. (ibid. p. 126. 41.) Προσέταξε .... ὡς τὸ πρὶν ἀτέλειαν ἔχειν λειτουργημάτων τοὺς αὐτοῦ κληρικούς.

laws[66] to this purpose, which Valentinian and Theodosius confirmed, granting the clergy, and some other orders of men, the same immunity in this respect, as they did to the chief officers and dignitaries of the empire; and they intimate[67] also, that this was no new privilege, but what by ancient custom they had always enjoyed. The same is said by Honorius, that this was an ancient privilege of the Church, conferred upon her by his royal ancestors, and that it ought not to be diminished; therefore he made two laws[68] particularly in behalf of the bishop of Rome, 'that no extraordinary office or sordid function should be imposed upon him.' Nor do we ever find the clergy called to bear any such office in the empire. For though Gothofred, in his Notes upon the forementioned law of Theodosius[69], where several of these offices are specified, reckons the *angariæ* and building and repairing of ways and bridges among sordid offices; yet I have shewed before, that what was exacted of the clergy in reference to those two things, was under the notion of a tribute, and not an office. And the laws, which require the clergy to contribute toward them, say expressly[70], 'that they are not to be looked upon as sordid offices, nor any duty to be exacted under that notion.'

Also from curial or municipal offices.

14. As to the other sort of offices called *honores, honourable* or *municipal offices*, which are otherwise termed *curial offices*, because they who bare them were called *curiales et decuriones, men of the court* or *curia* of every city, all the clergy who

[66] Cod. Theod. l. 16. tit. 2. de Episc., &c. leg. 10. (t. 6. p. 34.).... Repellaturque ab his exactio munerum sordidorum.—Conf. ibid. leg. 14. (p. 40.) Omnis a clericis .... iniquæ exactionis repellatur improbitas, &c.

[67] Ibid. l. 11. tit. 16. de Extraord. et Sordid. Muner. leg. 15. (t. 4. p. 127.) Maximarum culmina dignitatum .... ab omnibus sordidis muneribus vindicentur..... Circa ecclesias, rhetores, atque grammaticos eruditionis utriusque, vetusto more durante, &c.

[68] Ibid. leg. 21. (p. 133.) Privilegia venerabilis ecclesiæ, quæ divi principes contulerunt, imminui non oportet: proinde etiam quæ circa urbis Romæ episcopum, observatio intemerata custodiet. Ita ut nihil extraordinarii muneris vel sordidæ functionis agnoscat. [Conf. ibid. leg. 22. (p. 133.) Privilegia venerabili ecclesiæ, &c. *Grischov.*]

[69] In Cod. Theod. l. 11. tit. 16. leg. 15. (t. 4. p. 128.) Quartum [sordidum munus] est paraveredorum et parangariarum præbitio.... Duodecimum munus inter sordida numeratur viarum et pontium constructionis solicitudo.

[70] Cod. Theod. l. 15. tit. 3. de Itiner. Muniend. leg. 6. Honor. et Theod. Jun. (t. 6. p. 344.) Absit ut nos instructionem viæ publicæ, et pontium stratarumque operam..... inter sordida munera numeremus, &c.—Vid. Cod. Justin. l. 1. tit. 2. de Eccles. leg. 7. Ejusd. Honor. et Theod. (t. 4. p. 35.)

had no lands of their own, but lived upon the revenues and possessions of the Church, were entirely exempt from them, because the duties of the Church and State were not thought well consistent in one and the same person; and it was deemed unreasonable to burden the lands of the Church with the civil duties of the empire. When Constantine was first quietly settled in his government, immediately after the great Decennial, commonly called the Dioclesian persecution, he seems to have granted a full and unlimited immunity in this respect to all the clergy, as well those who had lands or patrimony of their own, as those who lived wholly upon the revenues of the Church. For thus he expresses himself in a law directed to Anulinus, proconsul of Afric, recorded by Eusebius[71], which bears date anno 312 or 313: 'Our pleasure is that all those in your province, who minister in the Catholic Church, over which Cæcilian presides, who are commonly called the clergy, be exempted from all public offices whatsoever, that they may not be let or hindered in the performance of divine service by any sacrilegious distraction.' Anulinus has also an Epistle still extant in St. Austin[72], written to Constantine not long after, wherein he mentions this grant as sent to him to be intimated to Cæcilian and the Catholic clergy, viz. 'that by the kind indulgence of his majesty they were exempt from all manner of offices, that they might with due reverence attend divine service.' And this Epistle of Anulinus is also related, but not so correctly, in the Collation of Carthage[73]. In this grant it is very observ-

[71] L. 10. c. 7. (v. 1. p. 487. 38.) *Διόπερ ἐκείνους τοὺς εἴσω τῆς ἐπαρχίας τῆς σοι πεπιστευμένης ἐν τῇ καθολικῇ ἐκκλησίᾳ, ᾗ Καικιλιανὸς ἐφέστηκε, τὴν ἐξ ἑαυτῶν ὑπηρεσίαν τῇ ἁγίᾳ ταύτῃ θρησκείᾳ παρέχοντας, οὕσπερ κληρικοὺς ἐπονομάζειν εἰώθασιν, ἀπὸ πάντων ἁπαξαπλῶς τῶν λειτουργιῶν βούλομαι ἀλειτουργήτους διαφυλαχθῆναι· ὅπως μὴ διά τινος πλάνης ἢ ἐξολισθήσεως ἱεροσύλου ἀπὸ τῆς θεραπείας τῆς τῇ Θειότητι ὀφειλομένης ἀφέλκωνται, ἀλλὰ μᾶλλον ἄνευ τινὸς ἐνοχλήσεως τῷ ἰδίῳ νόμῳ ἐξυπηρετῶνται, κ. τ. λ.*

[72] Ap. August. Ep. 68. [al. 88.] (t. 2. p. 213 e.) Scripta cœlestia majestatis vestræ accepta atque adorata Cæciliano et his, qui sub eodem agunt, quique clerici appellantur, devotio [mea apud acta] parvitatis meæ insinuare curavit, eosdemque hortata est, ut, unitate consensu omnium facta, cum omni omnino munere indulgentia majestatis vestræ liberati esse videantur catholici, custodita sanctitate legis, debita reverentia divinis rebus inserviant. [Editi omittunt *mea apud acta*, quæ verba huc revocavimus ex MSS. Ed. Bened., in loc., which puts a comma at *videantur*, and reads *catholica custodita*, &c. See the last part of the following note. Ed.]

[73] Die 3. c. 216. (CC. t. 2. p. 1488 c.) Augustis nostris Anulinus v. c. proconsul Africæ: scripta ecclesia majestatis vestræ accepta at-

able that this privilege was only allowed to the Catholic clergy; which made the Donatists very uneasy, because they could not enjoy the same favour: and upon this they became tumultuous and troublesome to the Catholics, procuring the clergy in some places to be nominated to public offices, and to be made receivers of the public revenues, &c. But complaint hereof being made to Constantine, it occasioned the publishing of a new order in Afric, pursuant to the former[74], 'that whereas he was given to understand that the clergy of the Catholic Church were molested by the heretical faction, and by their procurement nominated to public offices, and made susceptors or receivers of tribute, in derogation of the privileges which he had formerly granted them, he now signified his pleasure again, that if the magistrates found any person so aggrieved, they should substitute another in his room, and take care for the future that no such injuries should be offered to the men of that profession.' This law was published anno 313, and it is the first of this kind that is extant in the Theodosian Code. About six years after, anno 319, he put forth another, upon a like complaint made in Italy, that the clergy were called away from their proper functions to serve in public offices; and in this[75] he grants them the same general immunity as before. So again, anno 330, a complaint being made against the Donatists in Numidia, that when they could not have their will upon the superior clergy by reason of the former immunity that was granted them, they notwithstanding forced the inferior clergy to bear offices *in curia*, upon pretence that the exemption did not extend to them; Constantine, to cut off all dispute, pub-

que adorata Cæciliano et his, qui sub eodem agunt, quique clerici appellantur, devotio mea apud acta parvitatis meæ insinuare curavit.—C. 220. (ibid. e.) Martialis exceptor ex superioribus gestis recitavit: Eosdem hortata est, ut, unitate consensu omnium facta, munere majestatis vestræ liberati esse videantur, catholica custodita, sanctitati legis debita reverentia ac divinis rebus inserviant.

[74] Cod. Theod. l. 16. tit. 2. de Episc., &c. leg. 1. (t. 6. p. 21.) Hæreticorum factione comperimus ecclesiæ catholicæ clericos ita vexari, ut nominationibus seu susceptionibus aliquibus, quas publicus mos exposcit, contra indulta ibi [leg. sibi] privilegia, prægraventur. Ideoque placet, si quem tua gravitas invenerit ita vexatum, eidem alium surrogari, et deinceps a supradictæ religionis hominibus hujusmodi injurias prohiberi.

[75] Ibid. leg. 2. (p. 22.) Qui divino cultui ministeria religionis impendunt, id est, hi qui clerici appellantur, ab omnibus omnino muneribus excusentur: ne sacrilego livore quorundam a divinis obsequiis avocentur.

lished another law[78], wherein he particularly exempts the inferior clergy, readers, subdeacons, and the rest, from bearing offices *in curia;* and orders, that they should enjoy in Afric the same perfect immunity as they did in the Oriental Churches.

15. Now this immunity was so great a privilege, that it not only became the envy of heretics, but also provoked some Catholic laymen, who were possessed of estates qualifying them to bear the offices of their country, to get a sort of titular ordination to some of the inferior offices of the Church, on purpose to enjoy this immunity; when yet they neither designed to do the duty of that office, nor to arise to any higher order in the Church. Which being interpreted a mere fraudulent collusion to deprive the State of fit men to serve the commonwealth, and no ways benefit the Church, it was presently resented by Constantine as an abuse; and various laws were made both by him and his successors, as occasion required, to restrain and correct it. Constantine at first, as I observed before, granted this immunity indifferently to all the clergy, as well possessors as not-possessors of private estates, whom he found actually engaged in the service of the Church, when he came to the quiet possession of the empire; nor did he, for some years after perhaps, restrain any sorts of men from taking orders in the Church: but when he found this indulgence to the Church, by the artifice of cunning men, only turned to the detriment of the State; and that rich men sheltered themselves under an ecclesiastical title, only to avoid the offices of their country; he then made a law, that no rich plebeian, who was qualified by his estate to serve *in curia* and bear civil offices in any city, should become an ecclesiastic; or, if he did, he should be liable from the time that law was made to be fetched back and returned *in curiam*, to bear the offices of his country as a layman. What year that law was made is not very certain, save only that it was before the year 320, when a second law was made upon the same subject referring

But this last privilege confined to such of the clergy as had no estates but what belonged to the Church by the law of Constantine.

[78] Ibid. leg. 7. (p. 31.) Lectores divinorum apicum, et hypodiaconi, cæterique clerici, qui per injuriam hæreticorum ad curiam devocati sunt, absolvantur: et de cætero ad similitudinem Orientis minime ad curias devocentur, sed immunitate plenissima potiantur.

to the first. And from this we learn what was the import of both;—that it was Constantine's design to put a distinction betwixt such of the clergy as were ordained before that first law, and such as were ordained afterward: the former he exempted from civil offices, though they were possessed of estates, but not the latter. Which plainly appears from the words of the second law[77], which are these: 'Whereas by a former law we ordained, that from thenceforward no counsellor or counsellor's son, nor any one, who by his estate was sufficiently qualified to bear public offices, should take upon him the name or function of the clergy, but only such, whose fortune is small, and they not tied to any civil offices; we are now given to understand, that such of the clergy, who were ordained before the promulgation of that law, are molested upon that account. Wherefore our command is, that those be discharged of all further trouble; and that such only as entered themselves among the clergy since the law was made, with intention to decline public offices, shall be returned to the *curia* and states of their city, to serve in the civil offices of their country.' There is another law of Constantine's published after this[78], anno 326, a year after the Council of Nice, which speaks to the same effect, and shews that this was the standing rule of the latter part of Constantine's reign, to exempt none among the clergy, who were qualified by estates of their own, from bearing personally the public offices of the empire.

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16. But however this might be well designed at first by him to prevent some abuses, yet in process of time it became very

[77] Ibid. leg. 3. (p. 22.) Cum constitutio emissa præcipiat, *nullum deinceps decurionem, vel ex decurione progenitum, vel etiam instructum idoneis facultatibus, atque obeundis publicis muneribus opportunum, ad clericorum nomen obsequiumque confugere; sed eos .... qui fortuna tenues, neque muneribus civilibus teneantur obstricti*: cognovimus illos etiam inquietari, qui ante legis promulgationem clericorum se consortio sociaverint: ideoque præcipimus, his ab omni molestia liberatis, illos, qui post legem latam obsequia publica declinantes ad clericorum numerum confugerunt, curiæ ordinibusque restitui, et civilibus obsequiis inservire.

[78] Ibid. leg. 6. (p. 30.) .... Si inter civitatem et clericos super alicujus nomine dubitetur, si eum æquitas ad publica trahat munera, et progenie municeps vel patrimonio idoneus dignoscetur, exemptus clericis civitati tradatur: *opulentos* enim *sæculi subire necessitates oportet, pauperes ecclesiarum divitiis sustentari.*

prejudicial to the Church. For by this means sometimes presbyters and deacons, after they had been twenty or thirty years in the Church's service, were called upon by litigious men to bear civil offices, inconsistent with the spiritual, and thereupon they were forced to forsake their ecclesiastical function. This was so great an inconvenience, that it well became the wisdom of the following emperors to find out some suitable remedy for it; which they did by new modifying Constantine's law, and abating something of the rigour of it. For they did not lay the burden of civil offices upon the persons of the clergy, but only upon their patrimonial estates, not belonging to the Church, and in some cases they excused those also. Constantius acquitted all bishops of this burden, both as to their estates and persons[79]; for by his laws they might keep their estates to themselves, and neither be obliged to bear civil offices in person, nor substitute any other in their room. And he allowed the same privilege to presbyters, and deacons, and all others, provided they were ordained by the consent of the civil court, or *curia*, and the general request of the people. But, if they were not so ordained, all that they were obliged to do, was only to part with two-thirds of their estate to their children or next relations, and substitute them in their room; or, in defect of such relations, to give up two parts of their estate to the *curia*, and retain the third to themselves. Valentinian, in the first year of his reign, anno 364, made the law[80] a little stricter: 'that such persons, when they were ordained, should give all their estate to one of their relations, and substitute him as a *curialis* in their room, or else give it up to the *curia* itself; otherwise they should be liable to be called back to serve in civil offices as laymen.' But he extended this obligation no further than to the beginning of his own reign: for by another law[81], made seven years after, anno 371, he exempted

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[79] Ibid. l. 12. tit. 1. de Decurion. leg. 49. (t. 4. p. 387.) Solum episcopum facultates suas curiæ, sicut ante fuerat constitutum, nullus adigat mancipare, sed antistes maneat, nec faciat substantiæ cessionem, &c.

[80] Ibid. leg. 59. (p. 405.) Qui partes eligit ecclesiæ, aut in propinquum bona propria conferendo eum pro se faciat curialem, aut facultatibus curiæ cedat, quam reliquit; ex necessitate revocando eo qui neutrum fecit, cum clericus esse cœpisset, &c.

[81] Ibid. l. 16. tit. 2. de Episc., &c. leg. 21. (t. 6. p. 51.) Qui Ecclesiæ juge obsequium deputarunt, curiis habeantur immunes, si tamen ante ortum imperii nostri ad cultum

all such as were in the service of the Church when he came t the crown, though they had estates of their own qualifying them to bear civil offices. Valens[82] exempted all such as had been ten years in the Church's service; so that, if they were not called upon by the civil courts within that term, they were for ever after to be excused. Valentinian the Second[83] exempted them, provided they put a substitute in their room. Theodosius[84] exempted all that were ordained before the year 388, which was the tenth year of his reign: and of those that were ordained afterward he only required the aforesaid conditions[85], 'that they should either provide a proper substitute or give up their estates to the court at their ordination.' Which is also taken notice of by St. Ambrose in his answer t Symmachus, where he shews[86] how unreasonable it was fo him to plead for the exemption of the heathen priests in thi respect, when the laws did not grant it to the Christian clergy

se legis nostræ contulisse constiterit.

[82] Ibid. leg. 19. (p. 47.) .... Si in consortio clericatus decennium quietis impleverit, cum patrimonio suo habeatur immunis. Si vero intra finitos annos fuerit a curia revocatus, cum substantia sua functionibus subjaceat civitatis.

[83] Ibid. l. 12. tit. 1. de Decurion. leg. 99. (t. 4. p. 445.) Jussio, qua sibi Judææ legis homines blandiuntur, per quam eis curialium munerum datur immunitas, rescindatur: cum ne clericis quidem liberum sit, prius se divinis ministeriis mancipare, quam patriæ debita universa persolvant. Quisquis igitur vere Deo dicatus est, alium instructum facultatibus suis ad munera pro se complenda constituat.

[84] Ibid. leg. 121. (p. 464.) Qui ante se eundum consulatum mansuetudinis meæ ex ordine curiali, vel presbyteri fastigium, vel ministerium diaconi, vel exorcistæ suscepit officium, omne ejus patrimonium immune a curialibus nexibus habeatur ac liberum. Ii vero, qui se ad religiosa divini cultus obsequia, quocumque sub nomine, post memorati consulatus tempora præscripta contulerint, omni sciant cedendum ea patrimonio.—Leg. 123. (p. 467.) Evidens etiam præcepto nostro tempu expressum est, ex quo consulatu, qui de curialibus ad ecclesiam con fugissent, omni scirent patrimoni curiæ esse cedendum.

[85] Ibid. leg. 104. (p. 450.) Curia les, qui ecclesiis malunt servir quam curiis, si volunt esse quod si mulant, contemnant illa quæ sub trahunt: nec enim eos aliter, nis contemptis patrimoniis, liberamus quippe *animos divina observation devinctos non decet patrimoniorum desideriis occupari.*—Leg. 115. (p 460.) Ad curiam clerici pertinente sciant, ex patrimonio suo, si ipe immunes cupiunt permanere, alio idoneos esse faciendos, qui receden tium præsentiam personamque re stituant in publicis muneribus subeundis.

[86] Cont. Symmach. [al. Ep. 18. a Valentin.] (t. 2. p. 836 d. n. 13.) .. Nobis etiam privatæ successioni emolumenta recentibus legibus denegantur .... Si privilegium quæra sacerdos, ut onus curiale declinet patria atque avita et omnium facultatum possessione cedendum est.

but upon such conditions. Arcadius, indeed, by the instigation of Eutropius, anno 398, cancelled all these favourable laws, and brought the clergy again to the hard rule of Constantine[87], 'that if any of the *curiales* were ordained in the Church, they should by force be returned to the civil courts again in person, and not enjoy the benefit of those laws, which allowed them to take orders, provided they disposed of their estates to proper substitutes, who might bear offices in their stead.' But this law was but very shortlived: for, Chrysostom and some others very justly declaiming against it, Arcadius disannulled it the year following by a new law[88], wherein he granted such of the clergy, as were taken and ordained out of the body of the *curiales*, the same privilege that they had under his father Theodosius, which was, that all that were ordained before the second consulship of Theodosius, anno 388, should enjoy a perfect immunity, without any molestation; and such as were ordained after that term, if they were of the superior clergy, bishops, presbyters, or deacons, might continue in the Church's service, either providing a substitute to bear the offices of the *curia* for them, or giving up their estates to the *curia*, as former laws in that case had directed. Only it was required that the inferior clergy, readers, subdeacons, &c., should be returned to the *curia* again, and obliged to bear offices in person. And the same was determined by Theodosius Junior[89],

[87] Cod. Theod. l. 9. tit. 45. De his qui ad Eccles. confug. leg. 3. (t. 3. p. 361.) Decuriones ..... manu mox injecta revocentur: quibus ulterius legem prodesse non patimur, quæ, cessione patrimonii subsecuta, decuriones esse clericos non vetabat.

[88] Ibid. l. 12. tit. 1. de Decurion. leg. 163. (t. 4. p. 496.) Si qui ex secundo divi patris nostri consulatu curiam relinquentes clericorum se consortio manciparunt, si jam episcopi, vel presbyteri, vel diaconi esse [al. male, diacono esse] meruerunt, in sacris quidem et secretioribus Dei mysteriis perseverent; sed aut substitutum [al. substitutos] pro se curiæ offerre cogantur, aut juxta legem dudum latam tradant curiæ facultates. Residui omnes, lectores, subdiaconi, vel hi clerici quibus clericorum privilegia non debentur, debitis mox patriæ muneribus præsententur.

[89] Novel. 26. ad calc. Cod. Theod. (t. 6. append. p. 13.) Illustris magnificentia tua pragmatici nostri tenore comperto sciat, corporatum urbis Romæ, qui non expleto ordine cœpti officii, priusquam ad primum iter favor ad locum emeritus pervenerit, ad militiæ cujuslibet cingulum se credidit transferendum, corporibus, cui nomen suum ante dicaverat, oportere revocari: sive etiam in clericorum numero reperitur, usque ad diaconi locum similis præcepti conditio teneatur, &c.—Novel. 38. (ibid. p. 16.).... Præsenti lege sancimus, ut quisquis ante hujus sanctionis diem suscepit clericatus officium,

and Valentinian the Third[90], and Majorian[91], whose laws are extant at the end of the Theodosian Code. Justinian also has a Novel[92] to the same purpose, wherein he orders such of the inferior clergy, as were taken out of any *curia*, to be returned thither again, unless they had lived fifteen years a monastic life; and then they were to give three parts of their patrimony to the *curia*, and retain one to themselves. But he allowed bishops to put in a substitute, and be free from bearing civil offices in person, as Julianus Antecessor, in his Epitome of the Authentics[93], understands him. Though, I confess, there is something to incline a man to think Justinian at first was a little more severe to such bishops, because he revived that antiquated law of Arcadius in his Code[94]. But however this be, upon the whole matter it appears that the Christian princes, from first to last, always made a wide difference between the

non expletis urbis propriæ muniis ac muneribus, in ea quidem, qua meruit, religionis observatione perduret, sed omnia per suffectum tam personalia quam patrimonii onera cogatur agnoscere, facultates suas pro virili portione singulis filiis dividat, sibimet simili parte servata, &c.

[90] Novel. 12. (ibid. p. 26. ad calc. et p. 27.)..... Qui intra decennium transactum a die latæ hujus legis diaconi ordinati sunt, suffectos pro se dare debebunt. Si non habent, unde sibi hac ratione prospiciant, ipsi ad nexum proprium reducantur. Cæteris inferioris gradus ad competentia ministeria retrahendis: exceptis episcopis atque presbyteris: servatis tamen, quæ de patrimonio talium personarum legum præcedentium statuta sanxerunt.

[91] Novel. 1. (ibid. p. 32.) Quicumque se sub nomine clericatus, seu quodam religionis obtentu, curialis vel corporatus fortasse subtraxerit, secundum præcedentium legum statuta, si infra diaconatus gradum locatus probatur, ad originem suam sine dilatione revocetur. Si vero jam diaconus, aut presbyter, aut episcopus latæ hujus legis tempore reperitur, sive adhuc obnoxius [illegible] muniis, sive muniis persolutis, nihil de patrimonio suo alienaturum se esse cognoscat.

[92] Novel. 123. c. 15. ex Epitom. Julian. Antecess. (t. 5. p. 547.) Si vero tales personæ in clero constituantur, tanquam non ad ordinem perducti, propriæ fortunæ restituantur; nisi forsan monasticam vitam aliquis eorum non minus quindecim annis implevit, &c.—[Conf. Cod. Justin. l. 1. tit. 3. de Episc. leg. 4. (t. 4. p. 73.)....Ad priorem conditionem retrahantur, &c. ED.]

[93] Epitom. Novel. 123. c. 4. post leg. 37. Cod. Justin. de Episc. (t. 4. p. 108. ad calc.) Episcopalis ordo liberat a fortuna servili, vel ascriptitia, sed non a curiali sive officiali; nam et post ordinationem durat; ita ut per subjectam vel interpositam personam officium adimpleatur, &c.

[94] L. 1. tit. 3. de Episc. leg. 12. (t. 4. p. 79.) Si quis curialis clericus fuerit ordinatus, nec statim, conventione præmissa, pristinæ conditioni reddatur, is vigore et solertia judicantium, ad pristinam sortem, veluti manu injecta, mox revocetur. Clericis enim ulterius legem prodesse non patimur, quæ, cessione patrimonii subsecuta, decuriones clericos esse non vetabat.

public patrimony of the Church, which was properly ecclesiastical, and the private estates of such of the clergy as had lands of a civil or secular tenure: for the one, the clergy were obliged to no duty or burden of civil offices; but for the other they were, and could not be excused from them, but either by parting with some portion of their estates, or providing proper substitutes to officiate for them. The reason of which was, that such of the clergy were looked upon as irregularly promoted; it being as much against the rules of the Church, as the laws of the State, to admit any of the *curiales* to an ecclesiastical function, without first giving satisfaction to the *curia*, whence they were taken, as has been shewed in another place[95].

I have been the more curious in searching to the bottom this business about tribute and civil offices, and have given a particular and distinct account of them from the grounds of the Civil Law, because but few men have recourse to those fountains whence this matter is to be cleared; and the reader will scarce find this subject handled, but either very imperfectly, or with some partiality, or some confusion, in modern authors.

CHAP. IV.

Of the revenues of the ancient clergy.

Several ways of providing fund for the maintenance of the clergy. First, by oblations some of which were weekly.

1. The next thing that comes in order to be considered is the maintenance of the ancient clergy. Where it will be proper first to inquire into the ways and methods that were taken for raising funds for their subsistence. And here, to set aside a little the consideration of tithes, which will be spoken of in the next chapter, we find other ways by which, in ancient times, a decent provision was made for them. As, first, by the voluntary oblations of the people, of which some learned persons think there were two sorts: first, the weekly or daily oblations, that were made at the altar; secondly, the monthly oblations, that were cast into the treasury of the Church. The first sort of oblations were such as every rich and able communicant made at his coming to partake of the eucharist; where they offered not only bread and wine, out of which the eucharist was taken, but also other necessaries, and sometimes sums of money, for the maintenance of the Church and relief of the poor; as is evident from those words of St. Jerom. in his Com-

[95] See s. 16. p. 153.

ments upon Ezekiel[96], where he tells us 'that thieves and oppressors made their oblations, among others, out of their ill-gotten goods, that they might glory in their wickedness, while the deacon in the church publicly recited the names of those that offered;—such an one offers so much, and such an one hath promised so much;—and so they please themselves with the applause of the people, while their own conscience lashes and torments them.' Those called the Apostolical Canons[97] speak also of the oblation of fruits and fowls and beasts, but order such to be sent home to the bishop and presbyters, who were to divide them with the deacons and the rest of the clergy.

and others monthly.

2. Another sort of oblations were made monthly, when it was usual for persons, that were able and willing, to give, as they thought fit, something to the ark or treasury of the Church. Which sort of collation is particularly taken notice of by Tertullian[98], who says 'it was made *menstrua die, once a month*, or when every one pleased, and as they pleased; for no man was compelled to it: it was not any stated sum, but a voluntary oblation.' Baronius[99] thinks this ark or treasury was called the *corban* of the Church, because Cyprian[1] uses

[96] In Ezek. 18. p. 537. (t. 5. p. 209 a.) Quod multos facere conspicimus ..... qui opprimunt per potentiam, vel furta committunt, ut de multis parva pauperibus tribuant, et in suis sceleribus glorientur, publiceque diaconus in ecclesiis recitet offerentium nomina: .. tantum offert ille, tantum ille pollicitus est; ... placentque sibi ad plausum populi, torquente conscientia.

[97] Cc. 3, 4, 5. (Cotel. [c. 2.] v. 1. p. 437.) Εἴ τις ἐπίσκοπος, ἢ πρεσβύτερος, παρὰ τὴν ὑπὸ [al. τοῦ] Κυρίου διάταξιν τὴν ἐπὶ τῇ θυσίᾳ, προσενέγκῃ ἕτερά τινα ἐπὶ τὸ [τοῦ Θεοῦ] θυσιαστήριον, ἢ μέλι, ἢ γάλα, ἢ ἀντὶ οἴνου σίκερα, [ἢ] ἐπιτηδευτὰ, ἢ ὄρνεις, ἢ ζῳά τινα, ἢ ὄσπρια, [ὡς] παρὰ τὴν διάταξιν Κυρίου ποιῶν, καθαιρείσθω. πλὴν νέων χίδρων, ἢ στάχυας σίτου, ἢ σταφυλῆς [τῷ καιρῷ τῷ δέοντι.] Μὴ ἐξὸν [δὲ] ἔστω προσάγεσθαί τι [ἕτερον] πρὸς [al. εἰς] τὸ θυσιαστήριον, καὶ [al. ἢ] ἔλαιον εἰς τὴν [ἁγίαν] λυχνίαν, καὶ θυμίαμα τῷ καιρῷ τῆς θείας ἀναφορᾶς [al. τῆς ἁγίας προσφορᾶς.] Ἡ [δὲ] ἄλλη πᾶσα ὀπώρα εἰς οἶκον ἀποστελλέσθω ἀπαρχὴ [al. ἀπαρχῆς] τῷ ἐπισκόπῳ καὶ τοῖς πρεσβυτέροις, ἀλλὰ μὴ πρὸς τὸ θυσιαστήριον. Δῆλον δὲ, ὡς ὁ ἐπίσκοπος καὶ οἱ πρεσβύτεροι ἐπιμεριζουσι [καὶ] τοῖς διακόνοις, καὶ τοῖς λοιποῖς κληρικοῖς.

[98] Apol. c. 39. (p. 31 a.) ... Etiam si quod arcæ genus est, non de honoraria [al. ordinaria] summa, quasi redemptæ religionis congregatur: modicam unusquisque stipem menstrua die, vel cum velit, et si modo velit, et si modo possit, apponit: nam nemo compellitur, sed sponte confert.

[99] An. 44. n. 69. (t. 1. p. 332 d.) .... Idemque etiam meminit de antiquo ecclesiarum usu, qui hactenus perdurabat, ut et in ecclesiis essent gazophylacia, in quibus oblatæ pecuniæ conderentur, quæ a Cypriano *corbona* nuncupantur.

[1] De Oper. et Eleemos. p. 203. (p. 141.) Locuples et dives es, et dominicum celebrare te credis, quæ corbonam omnino non respicis;

that word when he speaks of the offerings of the people: rebuking a rich and wealthy matron for 'coming to celebrate the eucharist without any regard to the *corban*, and partaking of the Lord's Supper without any sacrifice of her own.' Others[2] conceive that *corban* is not a name for the treasury, but signifies the gift or oblation itself; and that Cyprian so uses it, making it the same with the sacrifices or offerings of the people. But the Evangelist, Matt. 27, 6, seems rather to favour the opinion of Baronius; for when he says the chief priests did not think it lawful to put Judas's money *εἰς τὸν κορβανᾶν*, it is evident he there by *corban* means *the treasury*, as most translators render it.

Whence came the custom of monthly division among the clergy.

3. But however this be, it is very probable that hence came the custom of dividing these oblations once a month among the clergy. For as Tertullian speaks of a monthly collation, so Cyprian[3] frequently mentions a monthly division, in which the presbyters had their shares by equal portions, and other orders after the same manner. Whence the clergy are also styled in his language[4] *sportulantes fratres, partakers of the distribution;* and what we now call *suspensio a beneficio* is, in his style[5], *suspensio a divisione mensurna, suspension from the monthly division.* Which plainly implies, that this sort of church-revenues was usually divided once a month among the clergy. And perhaps in conformity to this custom it was that the Theodosian heretics, having persuaded one Natalius, a confessor, to be ordained a bishop among them, promised him a monthly salary of one hundred and fifty *denarii*, *μηνιαῖα δηνάρια ἑκατὸν πεντήκοντα*, as Eusebius words it[6], referring to the usual way of distribution *once a month* among the clergy.

quæ in dominicum sine sacrificio venis; quæ partem de sacrificio, quod pauper obtulit, sumis?

[2] Basnag. Exercit. in Baron. an. 44. (p. 597.) Baronio assentiri non possum de significatione *corban*. *In ecclesiis erant gazophylacia, in quibus oblatæ pecuniæ conderentur, quæ a Cypriano corbona nuncupantur.* n. 69. Arcula, in quam pecunia congerebatur, non designatur a Cypriano voce hac *corbona;* sed donum ipsum a fidelibus oblatum.

[3] Ep. 34. [al. 39.] (p. 224.)...Ut et sportulis iisdem cum presbyteris honorentur, et divisiones mensurnas æquatis quantitatibus partiantur.

[4] Ep. 66. [al. 1.] (p. 170.) ... In honore sportulantium fratrum tanquam decimas ex fructibus accipientes.

[5] Ep. 28. [al. 34.] (p. 218.) Interim se a divisione mensurna tantum contineant, &c.

[6] L. 5. c. 28. (v. 1. p. 253. 17.) *Ἀνεπείσθη δὲ ὁ Νατάλιος ὑπ' αὐτῶν ἐπὶ σαλαρίῳ ἐπίσκοπος κληρωθῆναι ταύτης τῆς αἱρέσεως, ὥστε λαμβάνειν παρ' αὐτῶν μηνιαῖα δηνάρια ἑκατὸν πεντήκοντα.*

Secondly, other revenues arising from the lands and possessions of the Church.

4. Another sort of revenues which the clergy enjoyed were such as arose annually from the lands and possessions which were given to the Church. These indeed at first were but small, by reason of the continual vexations and persecutions which the Church underwent for the three first ages, when immoveable goods were always most exposed to danger. It was the custom of the Church of Rome therefore never to keep any immoveable possessions, no, not for many ages, if we may credit Theodorus Lector[7], who speaks of it as customary in his own time, anno 520. But, if any such were given to the Church, they immediately sold them, and divided the price into three parts, giving one to the church, another to the bishop, and the third to the rest of the clergy. And Valesius finds no exception to this till near the time of Gregory the Great. But, if this was the custom of the Church of Rome, it was a very singular one. For other Churches had their immoveables, both houses and lands, even in the times of persecution; as appears from the edicts of Maximinus, wherein he revoked his former decrees that had raised the persecution, and in these latter edicts granted the Christians liberty, not only to rebuild their churches, but also ordered[8], 'that if any houses or lands belonging to them had been confiscated, or sold, or given away, they should be restored to them again.' That this was meant of houses and lands belonging to the Church, as well as private Christians, is evident from the decree of Constantine and Licinius published the same year, anno 313; wherein they give orders[9], 'that whereas the Christians were known to have not only places of assembly, but also other places belonging, not to any private man, but to the whole body, all such places should be restored to the body, and to every particular assembly among them.' Which is repeated again in Constantine's letter to Anulinus[10], and other

[7] L. 2. p. 567. (v. 3. p. 583. 8.) *Ἔθος λέγει τῇ ἐκκλησίᾳ εἶναι τῆς Ῥώμης, ἀκίνητα μὴ κρατεῖν δίκαια· ἀλλ' εἰ καὶ περιέλθωσιν, εὐθέως πιπράσκεσθαι, καὶ εἰς μοίρας τρεῖς διαιρεῖσθαι τὸ τίμημα· καὶ τὸ μὲν τῇ ἐκκλησίᾳ δίδοσθαι, τὸ δὲ τῷ ἐπισκόπῳ, τὸ δὲ τῷ κλήρῳ.*

[8] Vid. Euseb. l. 9. c. 10. (v. 1. p. 457. 39.) ... *Ἵν' εἴ τινες οἰκίαι καὶ χωρία ... ταῦτα πάντα εἰς τὸ ἀρχαῖον δίκαιον τῶν Χριστιανῶν ἀνακληθῆναι ἐκελεύσαμεν.*

[9] Ibid. l. 10. c. 5. (p. 482. 13.) .. *Ἵνα τοὺς τόπους αὐτῶν εἰς οὓς τὸ πρότερον συνέρχεσθαι ἔθος ἦν αὐτοῖς, κ. τ. λ.*

[10] Ap. Euseb. ibid. (p. 483. 33.) *Ἐπειδὴ περ προῃρήμεθα ταῦτα ἅπερ αἱ αὐταὶ ἐκκλησίαι πρότερον ἐσχήκεσαν, τῷ δικαίῳ αὐτῶν ἀποκαταστα-θῆναι, κ. τ. λ.*

public acts of his recorded by Eusebius in his Life[11], where he makes mention of houses, gardens, lands, and other possessions belonging to the Church, of which she had been plundered and despoiled in the late persecutions. These are undeniable evidences that some part of the ecclesiastical revenues was anciently raised from houses and lands settled upon the Church, even before any Christian emperors could give encouragement to them.

These very much augmented by the laws of Constantine.

5. But when Constantine was quietly settled upon the throne, he Church-revenues received great augmentations in this kind. For he enacted a law at Rome, which is still extant in both the Codes[12], 'that any one whatsoever should have liberty at his death to bequeath by will what part of his goods he pleased to the holy Catholic Church.' By which means the liberality of pious persons was very much encouraged, and great additions were made to the standing revenues of the Church. Therefore Baronius[13] is very injurious to the memory of Constantine, and justly corrected by Gothofred[14] and Mr. Pagi[15] for it, in that he insinuates as if Constantine had relapsed toward heathenism at this very time, anno 321, when he published this law so much in favour of the Church.

Whose laws were confirmed, and not revoked

6. Others are no less injurious to some of his successors, when they represent them as injurious to the Church, in forbidding widows and orphans to leave any legacies to the

[11] Vit. Constant. l. 2. c. 37. (p. 554. 30.) Ἰδέτωσαν ἅπαντες, εἴ τε χωρίον, εἴ τ' οἰκίαν, εἴ τε κῆπον, εἴ τε ἕτερόν τι τῶν προειρημένων κατέχοιεν, καλῶς καὶ λυσιτελὲς αὐτοῖς εἶναι καὶ ὁμολογεῖν αὐτοῖς καὶ ἀποκαθιστάναι σὺν πάσῃ ταχύτητι.—It. c. 39. (p. 555. 39.) Ἅπαντα ὅσα ταῖς ἐκκλησίαις προσήκειν ὀρθῶς ἂν φανείη, εἴτ' οἰκίαι τὸ κτῆμα τυγχάνοιεν, εἴτ' ἀγροί τινες καὶ κῆποι, εἴθ' ὁποῖα δή ποτε ἕτερά τινα, οὐδενὸς τῶν εἰς τὴν δεσποτείαν ἐλαττουμένου δικαίου, ἀλλ' ἀκεραίων πάντων μενόντων, ἀποκαθίστασθαι προστάττομεν.

[12] Cod. Theod. l. 16. tit. 2. leg. 4. (t. 6. p. 23.)—Cod. Justin. l. 1. tit. 2. leg. 1. (t. 4. p. 31.) Habeat unusquisque licentiam sanctissimo catholico venerabilique concilio, decedens, bonorum quod optaverit, relinquere, &c.

[13] An. 321. n. 18. (t. 3. p. 233 e.) Sed quem hactenus tot tantaque adeo insignia pro Christiana religione, hoc anno atque superioribus temporibus, statuisse vidimus, tum ex scriptis hisce ab eo legibus, tum ex aliis citatis auctoribus, in fine tamen hujus ipsius anni, o dolendum facinus!, minus plane dignum atque adeo abhorrens a Christiano imperatore rescriptum dedisse ad Maximum, præfectum urbis, apparet, quo aruspices consulendos esse decernit, &c.

[14] In Cod. Theod. l. 16. tit. 10. de Paganis, leg. 1. (t. 6. p. 258.) Ego adversus eum judico, &c.

[15] Crit. in Baron. an. 321. nn. 4 et 5. (t. 1. p. 394.) Existimavit Baronius, &c.

by the succeeding emperors, as some mistake.

Church. Baronius cannot help complaining also upon this point, though he contradicts himself about it. For in one place he says[16], 'the foresaid law of Constantine did so augment the Church's wealth, that the following emperors began to dread the consequences of it, that it would turn to the detriment and poverty of the commonwealth; and therefore they made laws to restrain the faithful from being so profuse in their donations to the Church.' Yet, when he comes to speak particularly of those laws, he owns[17] 'they were not designed against the Church, but only to correct the scandalous practices of some sordid monks and ecclesiastics, who, being of an avaricious and parasitical temper, made a gain of godliness; and, under pretence of religion, so screwed themselves into the favour and affections of some rich widows and orphans, that they prevailed upon them to leave them great legacies, and sometimes their whole estates, to the prejudice of the right heirs and next relations.' Which was so dishonest and unbecoming a practice in such persons, that Valentinian made a law[18] to prevent it, decreeing 'that no ecclesiastics, nor any that professed the monastic life, should frequent the houses of widows or orphans; nor be qualified to receive any gift or legacy from the donation or last will of any such persons.' Which law, as Gothofred rightly observes[19], did not prohibit them from leaving any thing to the Church; though some learned men so misunderstand it; but only tended to correct this unworthy practice of some particular persons, which is equally complained of by the

[16] An. 321. n. 17. (t. 3. p. 233 d.) ...Adeo auctæ sunt illarum divitiæ, ut posteriores imperatores veriti ob eam causam reipublicæ detrimentum et paupertatem, conati sint iterum ab hujusmodi profusis largitionibus cohibere fideles.

[17] An. 370. n. 121. (t. 4. p. 272 e.) ... Qua quidem [sanctione] nequaquam prohibentur ecclesiæ hæreditates accipere vel legata, sed ecclesiasticæ personæ, sive clerici, sive monachi. ... ut plane intelligas hosce nebulones, ... tanquam harpyias quasdam inhiantes matronarum divitiis, et impuris moribus [manibus] cuncta fœdantes, præscribere [proscribere] ab urbe studuisse ipsos imperatores.

[18] Cod. Theod. l. 16. tit. 2. de Episc. &c., leg. 20. (t. 6. p. 48.) Ecclesiastici ..... vel qui *continentium* se volunt nomine nuncupari, viduarum aut pupillarum domos non adeant. .... Censemus etiam, ut memorati nihil de ejus mulieris, cui se privatim sub prætextu religionis adjunxerint, liberalitate quacunque, vel extremo judicio possint adipisci, &c.

[19] In loc. (ibid. p. 49. lin. ult.) ... Nam cum aliæ mulieres, ut maxime ecclesiasticis et continentibus aliquid donare vel relinquere hac lege prohibeantur, non ideo tamen prohibitæ ipsis ecclesiis aliquid relinquere, &c.

ancient writers of the Church. St. Ambrose and St. Jerom and others mention this law; yet they do not at all inveigh against it, but against those vices that occasioned it. 'I do not complain of the law,' says St. Jerom[20], 'but am grieved that we should deserve such a law; that when idol-priests, and stageplayers, and carters, and harlots may inherit, only clerks and monks are prohibited; and that not by persecuting emperors, but by Christian princes.' He adds, 'that it was a very prudent caution in the law, but yet it did not restrain the avarice of such persons; who found out an artifice to elude the law *per fidei commissa, by getting others to receive in trust for them.*' Which shews us the sense St. Jerom had of this matter, that he did not think the emperors were injurious to the Church in making such a law, but those persons were only to be blamed whose avarice and sordid flatteries compelled them to make it. And any one that will consult St. Ambrose[21], or the author under his name[22], will find that they give the same

[20] Ep. 2. [al. 52.] ad Nepotian. (t. 1. p. 258 e.) Pudet dicere, sacerdotes idolorum, mimi, et aurigæ, et scorta hæreditates capiunt; solis clericis et monachis hoc lege prohibetur; et prohibetur non a persecutoribus, sed a principibus Christianis. Nec de lege conqueror, sed doleo cur meruimus hanc legem. ... Provida severaque legis cautio: et tamen nec sic refrænatur avaritia. Per fidei commissa legibus illudimus: et quasi majora sint imperatorum scita quam Christi, leges timemus et evangelia contemnimus.

[21] Ep. 31. [al. 18. Relat. cont. Symmach.] ad Valent. p. 145. (t. 2. p. 836 d. n. 13.) Nobis etiam privatæ successionis emolumenta recentibus legibus denegantur, et nemo conqueritur. Non enim putamus injuriam, quia dispendium non dolemus. ... Scribuntur testamenta templorum ministris, nullus excipitur profanus, nullus ultimæ conditionis, nullus prodigus verecundiæ: soli ex omnibus clerico commune jus clauditur, a quo solo pro omnibus votum commune suscipitur, officium commune defertur: nulla legata vel gravium viduarum, nulla donatio. Et ubi in moribus culpa non deprehenditur, tamen officio mulcta præscribitur. Quod sacerdotibus fani legaverit Christiana vidua, valet: quod ministris Dei, non valet. Quod ego non ut querar, sed ut sciant quid non querar, comprehendi. Malo enim nos pecunia minores esse, quam gratia. Sed referunt ea, quæ vel donata vel relicta sunt ecclesiæ, non esse temerata, &c.

[22] Hom. 7. de Clericis. [Serm. 66. Ed. Colon. 1616. et Ed. Paris. 1642. But omitted by the Benedictines. Vid. Ind. Serm. Prætermiss. t. 2. p. 378. Vid. int. Oper. August. Serm. 82. (t. 5. append. p. 150 d.) Nam et catholicus clericus hac sententia retinetur. Si enim non contentus stipendiis fuerit, quæ de altario, Domino jubente, consequitur: sed exercet mercimonia, intercessiones vendit, viduarum munera libenter amplectitur: hic negotiator magis potest videri, quam clericus. Nec dicere possumus, nemo nos invasores arguit, violentiæ nullus accusat: quasi non interdum majorem prædam a viduis blandimenta eliciant, quam tormenta, &c. Ed.]

account of it. Theodosius indeed some years after made a law[23], relating particularly to such deaconesses of the Church as were of noble families, 'that they should not dispose of their jewels, or plate, or furniture, or any other such things as were the ancient marks of honour in their families, under pretence of religion, while they lived; nor make any church, or clerk, or poor, their heirs, when they died.' But as this law was made upon some particular reasons of state, so it did no harm to the Church; for within two months the same emperor recalled it by a contrary law[24], which granted liberty to such deaconesses to dispose of their goods in their lifetime to any church or clerk whatsoever. And Marcian made the law[25] a little more extensive, allowing deaconesses and all other religious women to dispose of any part of their estate, by will or codicil, to any church, or oratory, or clerk, or monk, or poor whatsoever. Which law Justinian also confirmed, and inserted it into his Code[26]. So that Constantine's law continued always in its full force, and the succeeding princes did not derogate from the privilege, which he had granted the Church in this respect, for fear, as Baronius pretends, lest the liberality of the subject to the Church should impoverish the commonwealth. Men were very liberal indeed in their gifts and donations to the Church in this age, but yet not so profuse as to need statutes of mortmain[27] to restrain them.

[23] Cod. Theod. l. 16. tit. 2. de Episc. &c., leg. 27. (t. 6. p. 60.) Nihil de monilibus et supellectili, nihil de auro, argento, cæterisque claræ domus insignibus, sub religionis defensione consumat [diaconissa,] sed universa integra in liberos proximos vel in quoscunque alios arbitrii sui existimatione transcribat:.. Ac si quando diem obierit, nullam ecclesiam, nullum clericum, nullum pauperem, scribat hæredes, &c.

[24] Ibid. leg. 28. (p. 64.) Legem, quæ diaconissis vel viduis nuper est promulgata, ne quis videlicet clericus, neve sub ecclesiæ nomine, mancipia, prædam, velut infirmi sexus despoliator, et remotis affinibus et propinquis, ipse sub prætextu catholicæ disciplinæ se ageret viventis hæredem, eatenus animadvertat esse revocatam.

[25] Novel. 5. ad calc. Cod. Theod. (ibid. append. p. 32.) Generali ... lege sancimus, sive vidua, sive diaconissa, sive virgo Deo dicata, vel sanctimonialis mulier, sive quocunque alio nomine religiosi honoris vel dignitatis fœmina nuncupetur, testamento vel codicillo suo .. ecclesiæ, vel martyrio, vel clerico, vel monacho, vel pauperibus, aliquid vel ex integro vel ex parte, in quacunque re vel specie, credidit relinquendum, id modis omnibus ratum firmumque constet, [consistat,] &c.

[26] L. 1. tit. 2. de Ecclesiis, leg. 13. (t. 4. p. 40.) In the same words as the preceding citation.

[27] [Grischovius adds the following quotation from Bœhmer, s. 5. c. 1. n. 23. (p. 262.) In gratiam eorum,

Thirdly, other pa of Churc revenues raised by allowanc out of th emperor' exchequ

7. For besides the liberality of the subjects, the emperors in these ages found it necessary to make the clergy an allowance out of the public revenues of the empire, which was another way of providing a maintenance for them. Constantine both gave the clergy particular largesses, as their occasions required, and also settled upon them a standing allowance out of the exchequer. In one of his Epistles to Cæcilian, bishop of Carthage, recorded by Eusebius[28], he acquaints Cæcilian with his orders, which he had given to Ursus, his general receiver in Afric, to pay him *three thousand pholles, τρισχιλίους φόλλεις*, to be divided at his discretion among the clergy of the provinces of Africa, Numidia, and the two Mauritanias. And, if this sum would not answer all their present necessities, he gave him further orders to demand of his procurator Heraclides whatever he desired more. I need not stand here to

qui quid significat *amortizatio* ignorant :—Acquiruntur bona parochialia *immobilia*, sicuti cætera ecclesiastica, plurimis in locis per amortizationem. Cum enim ecclesia sit tale corpus, quod non moriatur... adeoque bona, quæ semel accepit, non reddat, sed perpetuo teneat... atque ita dicatur habere *manus mortuas;* merito providendum erat, ne bona immobilia, superstitione hominum ingravescente, nimium usibus reip. eximerentur, et per exuperantes divitias ecclesiarum respublica detrimentum caperet. Hinc multis in locis cautum, ne immobilia in ecclesiam transferre liceret sine consensu ejus, qui reip. gubernacula tenet; sed ut hujus demum voluntate potestas ecclesiæ fiat, acquirendi et retinendi bona immobilia per *manum mortuam*.... Atque hoc ipsum est, quod dicitur *amortizatio*, denotatque *translationem bonorum immobilium consensu principis in manum mortuam seu possessorem immortalem, qualis est ecclesia*.... Deducta hæc vox videtur a Gallica voce, *amortir*, quod est, *extinguere*. Nam bona in ecclesiam delata, quoad *emolumenta civilia et usus publicos* videntur esse exstincta et civiliter mortua, cum generaliter oneribus, fundorum possessionibus impositis, hæc immunia et exempta sint... adeoque hoc intuitu ex publicis catastris (denen Steuerbüchern) exstincta videantur, quin etiam a sæculari jurisdictione per principem exempta sint... Ratio hujus juris sat manifesta est, quia et juris naturæ principium vult, ut nemini adeoque nec reipublicæ jus suum auferatur, quod tamen sæpe fit per translationem bonorum in ecclesiam, &c. ED.]

[28] L. 10. c. 6. (v. 1. p. 486. 18.) *Ἐπειδήπερ ἤρεσε κατὰ πάσας ἐπαρχίας, τάς τε Ἀφρικὰς καὶ τὰς Νουμιδίας, καὶ τὰς Μαυριτανίας, ῥητοῖς τισι τῶν ὑπηρετῶν τῆς ἐνθέσμου καὶ ἁγιωτάτης καθολικῆς θρησκείας, εἰς ἀναλώματα ἐπιχορηγηθῆναί τι, ἔδωκα γράμματα πρὸς Οὔρσον τὸν διασημότατον καθολικὸν τῆς Ἀφρικῆς, καὶ ἐδήλωσα αὐτῷ, ὅπως τρισχιλίους φόλλεις τῇ σῇ στερρότητι ἀπαριθμῆσαι φροντίσῃ. Σὺ τοίνυν, ἡνίκα τὴν προδηλουμένην ποσότητα τῶν χρημάτων ὑποδεχθῆναι ποιήσεις, ἅπασι τοῖς προειρημένοις, κατὰ τὸ βρεοῦϊον τὸ πρός σε παρὰ Ὁσίου ἀποσταλέν, ταῦτα τὰ χρήματα διαδοθῆναι κέλευσον· εἰ δ' ἄρα πρὸς τὸ συμπληρωθῆναί μου τὴν εἰς τοῦτο περὶ ἅπαντας αὐτοὺς προαίρεσιν ἐνδεῖν τι καταμάθοις, παρὰ Ἡρακλείδα, τοῦ ἐπιτρόπου τῶν ἡμετέρων κτημάτων, ἀναμφιλέκτως ὅπερ ἀναγκαῖον εἶναι καταμάθοις, αἰτῆσαι ὀφείλεις.*

inquire critically what this sum of 3000 pholles was, (though it may be computed above twenty thousand pounds,) since Constantine gave the bishop unlimited orders to demand as much as the needs of the clergy should require. But he not only supplied their present necessities, but also gave orders for a standing allowance to be made them out of the public treasury. For Theodoret[29] and Sozomen[30] say he made a law requiring the chief magistrates in every province to grant the clergy and virgins and widows of the Church *an annual allowance of corn*, ἐτήσια σιτηρέσια, out of the early tribute of every city. And thus it continued to the time of Julian, who withdrew the whole allowance. But Jovian restored it again in some measure, granting them a third part of the former allowance only, because at that time the public income was very low, by reason of a severe famine; but he promised them the whole, so soon as the famine was ended, and the public storehouses were better replenished. But either Jovian's death prevented his design, or the necessities of the clergy did not afterward require it. For though Sozomen seems to say the whole was restored; yet Theodoret, who is more accurate, affirms that it was only τριτημόριον, *a third part;* and that so it continued to his own times. In this sense therefore we are to understand that law of the emperor Marcian, which Justinian has inserted into his Code[31], decreeing, 'that the salaries, which had been always given to the churches in diverse sorts of grain out of the public treasures should be allowed them, without any diminution.' This did not entitle them to the whole allowance first made them by Constantine, as some may be apt to imagine from the general words of the

[29] L. 1. c. 11. (v. 1. p. 36. 37.) Καὶ μέντοι καὶ γράμματα πρὸς τοὺς τῶν ἐθνῶν προστατεύοντας δέδωκεν ἄρχοντας, καθ' ἑκάστην πόλιν χορηγεῖσθαι παρεγγυῶν ταῖς ἀεὶ παρθένοις καὶ χήραις, καὶ τοῖς ἀφιερωμένοις τῇ θείᾳ λειτουργίᾳ, ἐτήσια σιτηρέσια φιλοτιμίᾳ μᾶλλον ἢ χρείᾳ ταῦτα μετρήσας.

[30] L. 5. c. 5. (v. 2. p. 186. [illegible]) [illegible] μέντοι, πᾶσαν ἀτέλειαν [illegible] καὶ τὰ σιτηρέσια [illegible] ..... ἡνίκα [illegible] τὰ τῶν ἐκκλησιῶν διέταττε πράγματα, ἐκ τῶν ἑκάστης πόλεως φόρων τὰ ἀρκοῦντα πρὸς παρασκευὴν ἐπιτηδείων ἀπένειμε τοῖς πανταχοῦ κλήροις, καὶ νόμῳ τοῦτο ἐκράτυνεν, ὡς καὶ νῦν κρατεῖ, ἐξ οὗ τέθνηκεν Ἰουλιανὸς, ἐπιμελῶς φυλαττόμενος.

[31] L. 1. tit. 2. de Ecclesiis, leg. 12. (t. 4. p. 38.) Salaria etiam, quæ sacrosanctis ecclesiis in diversis speciebus de publico hactenus ministrata sunt, jubemus nunc quoque inconcussa, et a nullo prorsus imminuta, præstari.

law, but only to the third part, which had been the customary allowance from the time of Jovian.

Fourthly, the estates of martyrs and confessors, dying without heirs, settled upon the Church by Constantine.

8. Another way, by which some small addition was made to the revenues of the Church, was from a law of Constantine, mentioned by Eusebius in his Life[32], where he tells us, 'that, as he ordered all the estates of martyrs and confessors, and whoever had suffered in time of persecution, to be restored to their next relations; so, if any of them died without relations, the Church should become their heir, and in every place where they lived succeed to their inheritance.'

Fifthly, the estates of clergymen, dying without heirs and will, settled in like manner.

9. Theodosius Junior and Valentinian the Third made such another law[33], in reference to the temporal possessions of the clergy; 'that, if any presbyter, or deacon, or deaconess, or subdeacon, or other clerk, or any man or woman professing a monastic life, died without will and without heirs, the estates and goods they were possessed of should fall to the church or monastery to which they belonged, unless they were antecedently tied to some civil service.' This implies, that the clergy were at liberty to dispose of their own temporal estates as they pleased; and they fell to the Church only in case they died intestate. But the Council of Agde[34] in France under Alaric the Goth, anno 506, went a little further, and decreed, 'that every bishop, who had no children or nephews, should make the Church his heir, and no other;' as Caranza's edition and Gratian and some others read it. And the Council of

[32] Vit. Constant. l. 2. c. 36. (v. 1. p. 554. 13.) *Εἰ δὲ τῶν ἀγχιστέων μηδεὶς ὑπολείποιτο μηδενὸς τῶν προειρημένων κατὰ λόγον ἂν γενόμενος κληρονόμος, μήτε τῶν μαρτύρων φημὶ, μήτε τῶν ὁμολογησάντων, μήτε τῶν μετοίκων τῶν ἐπὶ τῇ τοιαύτῃ μεταστάντων προφάσει, ἡ καθ' ἑκάστους ἀεὶ τόπους ἐκκλησία διαδέχεσθαι τετάχθω τὸν κλῆρον.*

[33] Cod. Theod. l. 5. tit. 3. de Bonis Clericorum, leg. 1. (t. 1. p. 436.) Si quis episcopus, aut presbyter, aut diaconus, aut diaconissa, aut subdiaconus, vel cujuslibet alterius loci clericus, aut monachus, aut mulier, quæ solitariæ vitæ dedita est, nullo condito testamento, decesserit, nec ei parentes utriusque sexus, vel liberi, vel si qui agnationis cognationisve jure junguntur, vel uxor exstiterit, bona quæ ad eum pertinuerint sacrosanctæ ecclesiæ vel monasterio, cui fuerat destinatus, omnifariam socientur.—Conf. Cod. Justin. l. 1. tit. 3. de Episc. leg. 20. (t. 4. p. 84.)

[34] C. 24. al. 33. ap. Gratian. caus. 12. quæst. 2. c. 34. (t. 1. p. 995.) Episcopus, qui filios aut nepotes non habuerit, alium quam ecclesiam non relinquat hæredem.—[Labbe (CC. t. 4. p. 1388 e.) reads it thus;—Episcopus, qui filios aut nepotes non habens alium quam ecclesiam relinquit hæredem, si quid de ecclesia, non in ecclesiæ causa aut necessitate, præsumpsit, quod distraxit aut donavit, irritum habeatur. Ed.]

Sevil made a like decree for the Spanish Churches; upon which Caranza[36] makes this remark, 'that the canon was fit to be renewed in council, that the Church should be the bishop's heir, and not the Pope. And that it was against the mind of those fathers, that bishops should set up primogenitures, or enrich their kindred out of the revenues of the Church.' Which reflection among other things might perhaps contribute towards his being brought into the Spanish Inquisition, though he was archbishop of Toledo; after which he underwent a ten years' imprisonment at Rome, and had some of his books prohibited in the Roman Index; of which Spondanus, in his Annals[37], will give the reader a further account. But I return to the primitive Church.

Sixthly, heathen temples and their revenues sometimes given to the Church.

10. Where we may observe another addition made to the revenues of the clergy, by the donation of heathen temples, and sometimes the revenues that were settled upon them. For though the greatest part of these went commonly to the emperor's coffers, or to favourites that begged them upon the de-

[35] Hispal. 1. c. 1. (t. 5. p. 1589 b.) .... Comperimus autem in canone, ut episcopus, qui res proprias, excepto [leg. exceptis] filiis et nepotibus, alteris et non ecclesiæ suæ dimiserit; quidquid de ecclesiæ rebus aut donavit, aut vendidit, aut quoquo modo ab ecclesia transtulit, irritum haberetur.

[36] In loc. (p. 212. col. dextr.) Hic canon erat renovandus in Concilio, ut hæres defuncti episcopi esset ecclesia, non tamen Papa. Secundo alienum est a sententia horum patrum licere episcopo instituere primogenituras, vel locupletare consanguineos. [See Bp. Burnet, Pref. to the Life of Bp. Bedel, (p. 12.) This is a way of employing the revenues of the Church suitable to the sense of the primitive times, in which a bishop was not considered as the proprietor, but only as the administrator and dispenser of the revenue belonging to his see. And there is scarce any one thing, concerning which the Synods in those ages took more care, than to distinguish between the goods and estate that belonged to a bishop by any other title, and those that he had acquired during his episcopate: for though he might dispose of the one, the other was to fall to the Church. Ed.]

[37] An. 1559. n. 29. (t. 3. p. 587. col. dextr.) Bartholomæus Caranza Mirandensis, archiepiscopus Toletanus, ... æque de religione postulatus, captusque ab inquisitoribus, (tanta est illorum in Hispania auctoritas,) multis annis e vinculis causam dixit. Qui postea jussu Pii V. Romam deductus, anno 1567, in Hadriani Mole custoditus fuit et interrogatus: quousque demum, anno 1576, a Gregorio XIII. suspectus tamen judicatus, post voluntariam omnis pravitatis hæreticæ detestationem, ac legitimam catholicæ fidei confessionem, certis pœnis injunctis, absolutus fuit, et ad Dominicanorum sui ordinis monasterium Minervæ remissus; ibique paullo post, pie riteque sacris ecclesiæ sacramentis procuratus, obiit ... Scripsit Caranza Summam omnium Conciliorum et Pontificum usque ad Paulum III.; nec non Catechismum, qui in Romano Indice prohibitus reperitur; et alia quædam.

molishing of the temples, as appears from the laws of Honorius and Gratian, and several others in the Theodosian Code[38], yet some of them were given to the Church. For Honorius[39] takes notice of several orders and decrees of his own, whereby such settlements had been made upon the Church, which were to continue the Church's property and patrimony for ever: and it is probable some other emperors might convert the revenues of the temples to the same use. At least the fabrics themselves, and the silver and golden statues that were in them, were sometimes so disposed of. For Sozomen[40] says the Μίθριον or *Temple of the Sun*, at Alexandria, was given to the Church by Constantius. And we learn from Socrates[41], that, in the time of Theodosius, the statues of Serapis and many other idols at Alexandria were melted down for the use of the Church; the emperor giving orders, 'that the gods should help to maintain the poor.'

Seventhly as also he retical co venticles and their revenues.

11. Honorius made a like decree[42], anno 412, in reference to all the revenues belonging to heretical conventicles, that both the churches or conventicles themselves, and all the lands that were settled upon them, should be forfeited, and become the possession and property of the Catholic Church, as by former decrees he had appointed. And I suppose it was by virtue of these laws that Cyril, bishop of Alexandria, shut up

[38] L. 16. tit. 10. de Paganis, leg. 19. (t. 6. p. 288.) Templorum detrahantur annonæ, et rem annonariam jubent expensis devotissimorum militum profuturæ .... Ædificia ipsa templorum, quæ in civitatibus vel oppidis, vel extra oppida sunt, ad usum publicum vindicentur, aræ locis omnibus destruantur: omniaque templa possessionibus nostris, ad usus accommodos, transferantur.—Ibid. leg. 20. (p. 290.) Omnia etiam loca, quæ sacris error veterum deputavit, secundum divi Gratiani constituta nostræ rei jubemus sociari, &c.

templa omnia, cum suis adjacentibus spatiis, ecclesiis contulit, &c.

[40] L. 5. c. 7. (v. 2. p. 189. 33.) Πρὸς δὲ τούτοις καὶ τοιόνδε τότε συνέβη περὶ τὸ καλούμενον παρ' αὐτοῖς Μίθριον· τοῦτον γὰρ τὸν τόπον, ἔρημον πάλαι γενόμενον, ἐδωρήσατο Κωνστάντιος τῇ Ἀλεξανδρέων ἐκκλησίᾳ, κ. τ. λ.

[41] L. 5. c. 16. (ibid. p. 282. 11.) Τὰ δὲ ἀγάλματα τῶν Θεῶν μετεχωνεύετο εἰς λεβήτια καὶ εἰς ἑτέρας χρείας τῆς Ἀλεξανδρέων ἐκκλησίας, τοῦ βασιλέως χαρισαμένου τοὺς θεοὺς εἰς δαπανήματα τῶν πτωχῶν.

[39] Ibid. (p. ead.) Ea autem, quæ multiplicibus constitutis ad venerabilem ecclesiam voluimus pertinere, Christiana sibi merito religio vindicavit [id est, vindicabit].—Vid. Prosper. de Promiss. part. 3. c. 38. (append. p. 185 d. 13.) Honorius...

[42] Cod. Theod. l. 16. tit. 5. de Hæret. leg. 52. (t. 6. p. 172.) Ecclesiis eorum vel conventiculis prædiisque, siqua in eorum ecclesias hæreticorum largitas prava contulit, proprietati potestatique catholicæ, sicut jamdudum statuimus, vindicatis.

all the Novatian churches, and seized upon all their revenues, and deprived Theonas their bishop of his substance; though Socrates[42], in telling the story, represents the matter a little more invidiously, as if Cyril had done all this by his own private usurped authority and arbitrary power: which will hardly gain credit with any one, that considers that those laws of Honorius were published before Cyril came to the episcopal throne, which was not till the year 412, when those laws were reinforced by the imperial power.

Eighthly, the estates of clerks deserting the Church to be forfeited to the Church.

12. While I am upon this head, it will not be improper to observe further, that, by Justinian's laws[43], 'if any clergymen or monks, who were possessed of temporal estates, forsook their church or monastery and turned seculars again, all their substance was forfeited to the church or monastery to which they belonged.' These were the several methods that were anciently taken for augmenting and improving the revenues of the Church, besides those of first-fruits and tithes, of which more hereafter.

No disreputable ways of augmenting Church-revenues encouraged. Fathers not to disinherit their children to make the Church their heirs.

13. But I must observe, that as these methods were generally reputed legal and allowable, so there were some other as generally disallowed and condemned. Particularly we find, in St. Austin's time, that it was become a rule in the African Church, to receive no estates that were given to the Church to the great detriment and prejudice of the common rights of any others. As if a father disinherited his children to make the Church his heir, in that case no bishop would receive his donation. Possidius[44] tells us St. Austin refused some estates

[42] L. 7. c. 7. (ibid. p. 352. 39.) *Εὐθέως οὖν Κύριλλος, τὰς ἐν Ἀλεξανδρείᾳ Ναυατιανῶν ἐκκλησίας ἀποκλείσας, πάντα μὲν αὐτῶν τὰ ἱερὰ κειμήλια ἔλαβεν· τὸν δὲ ἐπίσκοπον αὐτῶν Θεόπεμπτον πάντων ὧν εἶχεν ἀφείλετο.*

[43] Cod. l. 1. tit. 3. de Episc. leg. 5. (t. 4. p. 140.) Quod si illi monasteria aut ecclesias relinquant, atque mundani fiant; omne ipsorum jus ad monasterium aut ecclesiam pertinet.—Conf. Novel. 5. c. 4. (t. 5. p. 45.) Si quis autem forte semel dedicatus, schemateque potitus, deinde a monasteriæ discedere voluerit, et privatam fortassis eligere vitam: ipse quidem sciat quam pro hoc dabit Deo satisfactionem: res autem quascunque habuerit, dum in monasterium intrabat, eas dominii esse monasterii; et nihil penitus ejiciat.—Novel. 123. c. 42. (t. 5. p. 561.) Si monachus reliquerit suum monasterium, et in aliud ingrediatur, quascunque res tempore, quo monasterium dereliquerit, habere videbitur: proprio monasterio, in quod ab initio ingressus est, eas competere jubemus.

[44] Vit. August. c. 24. (append. t. 10. p. 273 d.) .... Aliquas eum hæreditates recussasse novimus, non quia pauperibus inutiles esse possent, sed quoniam justum et æquum esse videbat, ut a mortuorum vel filiis vel affinibus magis possiderentur,&c.

so given, because he thought it more just and equal, that they should be possessed by the children, or parents, or next kindred of the deceased persons. And that he did so, is evident from his own words in his discourse, *De Vita Clericorum*[45], where he says 'he had returned an estate to a son, which an angry father at his death had taken from him; and he thought he did well in it;' professing for his own part, 'that if any one disinherited his son to make the Church his heir, he should seek some one else to receive his donation and not Austin; and he hoped, by the grace of God, there would be none that would receive it.' He adds in the same place[46] a very remarkable and laudable instance of great generosity and equity in Aurelius, bishop of Carthage, in a case of the like nature. A certain man having no children, nor hopes of any, gave away his whole estate to the Church, only reserving to himself the use of it for life. Now it happened afterwards, that he had children born to him; upon which the bishop generously returned him his estate, when he did not at all expect it. 'The bishop indeed,' says St. Austin, 'had it in his power to have kept it, *sed jure fori, non jure poli,—only by the laws of man, but not by the laws of heaven;*' and therefore he thought himself obliged in conscience to return it. This shews how tender they were of augmenting the revenues of the Church by any methods, that might be thought unequitable, or such as were not reputable, honest, or of good report; herein observing the Apostle's rule, to "let their moderation, τὸ ἐπιεικὲς, *their equity*, be known to all men;" not doing any hard thing for lucre's sake, nor taking advantages by rigour of law, when conscience and charity were against them.

14. To avoid scandal also, and to "provide things honest in the sight of all men," they forbad any thing to be demanded for administering the sacraments of the Church. The Council of

Nothing to be demanded for administer

[45] Serm. 49. de Divers. t. 10. p. 520. [al. Serm. 355. c. 4.] (t. 5. p. 1383 a.) Plane quando donavi filio, quod iratus pater moriens abstulit, bene feci.... Quid plura, fratres mei? quicunque vult exhæredato filio hæredem facere ecclesiam, quærat alterum qui suscipiat, non Augustinum; immo, Deo propitio, neminem inveniat.

[46] Ibid. (b.) Quidam cum filios non haberet, neque speraret, res suas omnes, retento sibi usufructu, donavit ecclesiæ. Nati sunt illi filii, et reddidit episcopus necopinanti quæ ille donaverat. In potestate habebat episcopus non reddere; sed jure fori, non jure poli.

he sacraents of he Church, or for conecrating hurches, or interent of the ead.

Eliberis seems to intimate, that it was customary with some persons at their baptism to cast money into a basin by way of gratuity to the minister; but even this is there forbidden by a canon[47], 'lest the priest should seem to sell what he freely received.' Whence we may conclude, that, if the people might not offer, the priest might much less exact or demand any thing for administering the sacrament of baptism. In other Churches a voluntary oblation was allowed of from persons that were able and willing to make it; but all exactions of that nature from the poor were still prohibited, for fear of discouraging them from offering themselves or their children to baptism. Thus it was in the Roman Church in the time of Gelasius, as we learn from his Epistles[48], and in the Greek Church in the time of Gregory Nazianzen[49], who takes occasion to answer this objection, which poor men made against coming immediately to baptism, because they had not wherewith to make the usual present that was then to be offered, or to purchase the splendid robe that was then to be worn, or to provide a treat for the minister that baptized them. He tells them no such things would be expected or exacted of them: 'they need only make a present of themselves to Christ, and entertain the minister with their own good life and conversation, which would be more acceptable to him than any other offerings.' This implies that it was then the custom for the people to make a voluntary oblation at their baptism; but not the custom for ministers to demand it, as a matter of right, for fear of giving scandal. Some editions of Gratian[50] and Vice-

[47] C. 48. (t. 1. p. 975 e. lin. ult.) Emendari placuit, ut [hi,] qui baptizantur, ut fieri solebat, nummos in concham non mittant [al. immittant]; ne sacerdos, quod gratis accepit, pretio distrahere videatur.

[48] Ep. 1. al. 9. ad Episc. Lucan. c. 7. [al. 5.] (CC. t. 4. p. 1189 d.) Baptizandis consignandisque fidelibus pretia nulla presbyteri [al. sacerdotes pretia nulla] præfigant, nec illationibus quibusdam [al. quibuslibet] impositis exagitare cupiant renascentes; quoniam quod gratis accipimus, gratis dare mandamur. Et ideo nihil a prædictis [prorsus] exigere moliantur, quo, vel paupertate cogente deterriti, vel indignatione revocati, redemptionis suæ causas adire despiciant; certum habentes, quod quæ prohibita deprehensi fuerint admisisse, vel commissa non potius sua sponte correxerint, periculum subituri proprii sint honoris.

[49] Orat. 40. de Bapt. (t. 1. p. 655 c.) Αἰσχρὸν εἰπεῖν, ποῦ δέ μοι τὸ καρποφορούμενον ἐπὶ τῷ βαπτίσματι; ποῦ δὲ ἐμφώτειος ἐσθῆς ᾗ λαμπρυνθήσομαι; ποῦ δὲ τὰ πρὸς δεξίωσιν τῶν ἐμῶν βαπτιστῶν; . . . σαυτὸν καρποφόρησον, Χριστὸν ἔνδυσαι, θρέψον με πολιτείᾳ· οὕτω ἐγὼ χαίρω φιλοφρονούμενος, οὕτω καὶ ὁ Θεὸς ὁ τὰ μέγιστα χαριζόμενος.

[50] Caus. 1. quæst. 1. c. 103. (t. 1.

comes[51] allege a canon of the third or fourth Council of Carthage to the same purpose; which, if the allegation were true, would prove that the same custom obtained in the African Church. But, as Antonius Augustinus[52] and the Roman correctors of Gratian[53] have observed, there is no such canon to be found in any African Council; but it is a canon of the second Council of Bracara in Spain, which finding a corrupt practice crept in among the clergy, (notwithstanding the former prohibition of the Eliberitan Council,) that ministers did exact pledges of the poor, who had not ability to make any offering, endeavoured to redress this corruption by passing a new order[54], 'that though voluntary oblations might be received, yet no pledge should be extorted from the poor who were not able to offer; because many of the poor for fear of this kept back their children from baptism.' The same Council of Bracara made a decree[55], 'that no bishop should exact any thing as a due from any founders of churches for their consecration; but, if any thing was voluntarily offered, he might receive it.' And so in like manner for confirmation[56], and administering the eucharist[57], all bishops and presbyters are

p. 550. 68.) Placuit ut unusquisque episcopus per ecclesias suas hoc præcipiat ut bi, qui infantes suos ad baptismum offerunt, si quid voluntarie pro suo offerunt voto, suscipiatur ab eis. Si vero per necessitatem paupertatis aliquid non habeant, quod offerant, nullum eis pignus violenter tollatur a clericis, &c.

[51] De Rit. Bapt. l. 4. c. 2. (Paris. 1618. p. 578.) Quam deinde constitutionem negligi ut probabile est, &c.

[52] De Emendat. Gratian. l. 1. dial. 14. (p. 160.) Fragmentum *Placuit ut unusquisque* Concilio Bracarensi II. c. 7. restituatur oportet, &c.

[53] Gratian. ut supr. Ed. Rom. 1582. [According to Grischovius the words following are read in another edition, Colon. Munat. 1717. 4to., which I have not seen: but I do not find the gloss in the Lyons edition of the Corp. Jur. Canon. 1671. See t. 1. p. 550. Emendata est inscriptio ex aliquot vetustis codicibus: nam in vulgatis erat *ex Carthaginensi quarto*, in quo non habetur. Ed.]

[54] Bracar. 2. juxt. Ed. Crabb. 3. c. 7. (t. 5. p. 898 a.) .... Qui infantes suos ad baptismum offerunt, si quid voluntarie pro suo offerunt voto, suscipiatur ab eis; si vero per necessitatem paupertatis aliquid non habent quod offerant, nullum illis pignus violenter tollatur a clericis. Nam multi pauperes hoc timentes, filios suos a baptismo retrahunt.

[55] C. 5. (ibid. p. 897 d.) Placuit, ut quoties ab aliquo fidelium ad consecrandas ecclesias episcopi invitantur, non quasi ex debito munus aliquod a fundatore requirat; sed si ipsi quidem aliquid [al. ipse fundator si quidem aliquid] ex voto suo obtulerit, non respuatur.

[56] Vid. Gelas. Ep. 1. al. 9. ad Episc. Lucan. c. 7. (CC. t. 4. p. 1189 d.) Baptizandis consignandisque fidelibus sacerdotes pretia nulla præfigant.

[57] Vid. C. Trull. c. 23. (t. 6. p. 1154 a.) Περὶ τοῦ μηδένα εἴτε

strictly enjoined not to exact any thing of the receivers; b cause the grace of God was not to be set to sale, nor the sanc tification of the Spirit to be imparted for money. St. Jerom assures us further, that it was not very honourable in his time to exact any thing for the burying-places of the dead; for he censures[58] those that practised it, as falling short of the meri of Ephron the Hittite, whom Abraham forced to receive money for the burying-place which he bought of him. 'But now says he, 'there are some who sell burying-places, and take money for them, not by compulsion, as Ephron did, but by ex tortion rather from those that were unwilling to pay.' F which we may understand, that in his time it was hardly allowable to demand any thing for the use of a public o private cemetery. Nor was this any part of the Church-reve nues in those days, when as yet the custom of burying i churches was not generally brought in, but was the practice o later ages. Of which more, when we come to speak of th funeral rites of the Church.

ie oblations of the ople anciently one the most luable rts of urch-venues.

15. If any one is desirous to know what part of the Churc revenues was anciently most serviceable and beneficial to th Church, he may be informed from St. Chrysostom and S Austin, who give the greatest commendations to the offerin and oblations of the people, and seem to say that the Chur was never better provided than when her maintenance w raised chiefly from them. For then men's zeal prompted the to be very liberal in their daily offerings; but as lands an possessions were settled upon the Church, this zeal sensibl abated; and so the Church came to be worse provided fo under the notion of growing richer. Which is the thing th St. Chrysostom complains of in his own times, when the ancie revenue arising from oblations was in a great measure sun and the Church, with all her lands, left in a worse conditi

ἐπίσκοπον, εἴτε πρεσβύτερον, ἢ διάκονον, τῆς ἀχράντου μεταδιδόντα κοινωνίας, παρὰ τοῦ μετέχοντος εἰσπράττειν τῆς τοιαύτης μεταλήψεως χάριν ὀβολοὺς ἢ εἶδος τὸ οἱονοῦν· οὐδὲ γὰρ πεπραμένη ἡ χάρις, οὐδὲ χρήμασι τὸν ἁγιασμὸν τοῦ Πνεύματος μεταδίδομεν.

venderet,.... appellatus est Ephr significante Scriptura, non eum isse consummatæ perfectæque v tutis, qui potuerit memorias vend mortuorum. Sciant igitur qui pulcra venditant, et non cogun ut accipiant pretium, sed a noler bus quoque extorquent, immut nomen suum, et perire quid de n rito eorum, &c.

[58] Quæst. Hebr. in Gen. 23. t. 3. p. 214. (t. 3. p. 340 d.) Postquam enim pretio victus est, ut sepulcrum

than she was before. For now her ministers were forced to submit to secular cares, to the management of lands, and houses, and the business of buying and selling, for fear the orphans and virgins and widows of the Church should starve. He exhorts the people, therefore, to return to their ancient liberality of oblations; which would at once ease the ministry of all such cares, and make a good provision for the poor, and take off all the little scoffs and objections that some were so ready to make and cast upon the clergy,—that they were too much given to secular cares and employments,—when indeed it was not choice, but necessity that forced them to it. 'There are,' says he[59], 'in this place, (at Antioch he means,) by the grace of God, an hundred thousand persons that come to church. Now, if every one of these would but give one loaf of bread daily to the poor, the poor would live in plenty. If every one would contribute but one halfpenny, no man would want; neither should we undergo so many reproaches and derisions, as if we were too intent upon our possessions.' By this discourse of Chrysostom's it plainly appears, that he thought the oblations of the people in populous cities, when men acted with their primitive zeal, was a better provision for the clergy than even the lands and possessions of the Church. And St. Austin seems to have had the same sense of this matter: for Possidius tells us, in his Life[60], 'that when he found the possessions of the Church were become a little invidious, he was used to tell the laity, that he had rather live upon the oblations of the people of God, than undergo the care and trouble of those possessions; and that he was ready to part with them, provided all the servants and ministers of God might live as they did under the Old Testament, when, as we read, they that served at the altar

[59] Hom. 86. [Bened. 85. al. 86.] in Matth. 26, 67, et seqq. (t. 7. p. 810 a.) *Καὶ γὰρ τῇ τοῦ Θεοῦ χάριτι εἰς δέκα μυριάδων ἀριθμὸν οἶμαι τοὺς ἐνταῦθα συναγομένους τελεῖν· καὶ εἰ ἀφ' ἑνὸς ἄρτου μεταδίδου τινὶ τῶν πενήτων ἕκαστος, ἅπαντες ἦσαν ἂν ἐν εὐπορίᾳ· εἰ ἐξ ἑνὸς μόνου ὀβολοῦ, οὐδεὶς ἂν ἦν πένης, οὐκ ἂν τοσαῦτα ὑπεμείναιμεν ὀνείδη καὶ σκώμματα ἀπὸ τῆς περὶ τὰ κτήματα προνοίας.*

[60] Vit. August. c. 23. (t. 10. append. p. 273 b.) Et dum forte, ut assolet, de possessionibus ipsis invidia clericis fieret, alloquebatur plebem Dei, malle se ex collationibus plebis Dei vivere quam illarum possessionum curam vel gubernationem pati; et paratum se [esse] illis cedere, ut eo modo omnes Dei servi et ministri viverent, quo in Veteri Testamento leguntur altari deservientes de eodem comparticipari. Sed nunquam id laici suscipere voluerunt.

were made partakers of the altar. But though he made this proposal to the people, they would never accept of it.' Which is an argument, that the people also thought that the reducing the clergy's maintenance to the precise model of the Old Testament would have been a more chargeable way to them than the other, since the oblations of the Old Testament included tithes and first-fruits: concerning the state and original of which, as to what concerns the Christian Church, I come now to make a more particular inquiry.

CHAP. V.

Of tithes, and first-fruits in particular.

1. Concerning tithes, so far as relates to the ancient Church, it will be proper to make three inquiries. First, whether the primitive fathers esteemed them to be due by divine right? Secondly, if they did, why they were not always strictly demanded? Thirdly, in what age they were first generally settled upon the Church? As to the first inquiry, it is generally agreed by learned men that the ancients accounted tithes to be due by divine right. Bellarmin[61], indeed, and Rivet[62], and Mr. Selden[63], place them upon another foot. But our learned bishop Andrews[64] and bishop Carleton[65], who wrote before Mr. Selden, and bishop Montague[66] and Tillesly[67], who wrote in answer to him, not to mention many others who have written since, have clearly proved, that the ancients believed the law about tithes not to be merely a ceremonial or political command, but of moral and perpetual obligation. It will be sufficient for me, in this place, to present the reader with two or three of their allegations. Origen, in one of his Homilies on Numbers[68], thus delivers his opinion about it: 'How does our

[61] De Clericis, l. 1. c. 25. (t. 2. p. 317 a.) Quod non sit morale, &c.

[62] Exercit. 80. in Gen. 14. p. 386. (t. 1. p. 310. col. sinistr.) Altera extrema sententia est pene omnium canonistarum, &c.—See the entire section, and to the end of p. 312.

[63] History of Tithes, ch. 4. (t. 2. of vol. 3. p. 1095.) Consult the whole chapter.

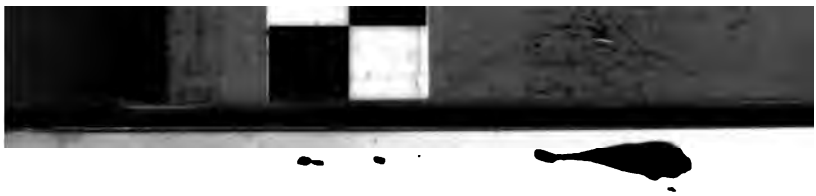
[64] De Decimis, inter Opuscula, Lond. 1629. (pp. 339. seqq.)

[65] Divine Right of Tithes, ch. 3. (pp. 11, seqq.) The title, How tithes stood under the Law. Where it is proved, that then this constitution of tithes was neither ceremonial nor judicial, but moral.

[66] Diatribæ, &c. Lond. 1621.

[67] Animadversions upon Mr. Selden's History of Tithes, &c. Lond. 1619. 4to.

[68] Hom. 11. in Num. 18. t. 1. p. 210. (t. 2. p. 305 f. ult. lin.) Quo-



righteousness exceed the righteousness of the scribes and pharisees, if they dare not taste of the fruits of the earth before they offer the first-fruits to the priests, and separate the tithes for the Levites; whilst I do nothing of this, but only so abuse the fruits of the earth, that neither the priest, nor the Levite, nor the altar of God shall see any of them?' St. Jerom says expressly [69], 'that the law about tithes and first-fruits was to be understood to continue in its full force in the Christian Church; where men were commanded not only to give tithes, but to sell all that they had, and give to the poor.' 'But,' says he, 'if we will not proceed so far, let us at least imitate the Jewish practice, and give part of the whole to the poor, and the honour that is due to the priests and Levites. Which he who does not, defrauds God, and makes himself liable to a curse.' St. Austin as plainly favours the same opinion [70], telling men 'that they ought to separate something out of their yearly fruits, or daily income; and that a tenth to a Christian was but a small proportion. Because, it is said, the Pharisees gave tithes: "I fast twice in the week, I give tithes of all that I possess." And our Lord saith, "Except your righteousness exceed the righteousness of the Scribes and Pharisees, ye shall not enter into the kingdom of heaven." But if he, whose righteousness you are to exceed, gave tithes, and you give not a thousandth part,

modo ergo abundat justitia nostra plusquam Scribarum et Pharisæorum, si illi de fructibus terræ suæ gustare non audent, priusquam primitias [suas] sacerdotibus offerant, et Levitis decimæ separentur? [al. decimas separent?] Et ego nihil horum faciens fructibus terræ ita abutar, ut sacerdos nesciat, Levites ignoret, divinum altare non sentiat?

[69] In Mal. 3. (t. 6. p. 978 b.) Quod de decimis primitiisque diximus, quæ olim dabantur a populo sacerdotibus ac Levitis, in ecclesiæ quoque populis intelligite: quibus præceptum est, non solum decimas dare et primitias, sed et vendere omnia quæ habent et dare pauperibus, et sequi Dominum Salvatorem. Quod si facere nolumus, saltem Judæorum imitemur exordia, ut pauperibus partem demus ex toto, et sacerdotibus et Levitis honorem debitum deferamus. Quod qui non fecerit, Deum fraudare et supplantare convincitur, &c.

[70] In Ps. 146. t. 8. p. 608. (t. 4. p. 1648 f. g.) Præcidite ergo aliquid, et deputate aliquid fixum, vel ex annuis fructibus, vel ex quotidianis quæstibus vestris. . . Exime aliquam partem redituum tuorum. Decimas vis? decimas exime, quanquam parum sit. Dictum est enim, quia Pharisæi decimas dabant: 'Jejuno bis in Sabbato, decimas do omnium quæcunque possideo.' Et quid ait Dominus? 'Nisi abundaverit justitia vestra plus quam Scribarum et Pharisæorum, non intrabitis in regnum cœlorum.' Et ille, super quem debet abundare justitia tua, decimas dat: tu autem nec millesimam das. Quomodo superabis eum, cui non æquaris?

how can you be said to exceed him whom you do not so much as equal?' By these few allegations the reader may be able to judge what notion the ancients had of tithes, as due by divine right under the gospel, as well as under the law; and that the precept concerning them was not a mere ceremonial or political command given to the Jews only.

r not ted in apostolage those imme- ly fol- d.

2. But why, then, it may be said, were not tithes exacted by the Apostles at first, or by the Fathers in the ages immediately following? for it is generally believed that tithes were not the original maintenance of ministers under the Gospel. To this Bishop Carleton has returned several very satisfactory answers, which the reader may take in his own words. First[71], 'That tithes were paid to the priests and Levites in the time of Christ and his Apostles: now the [Jewish] Synagogue must first be buried before these things could be orderly .... brought into use in the Church.' Secondly[72], 'In the times of the New Testament, and somewhat after, there was an extraordinary maintenance by a community of all things, which supplied the want of tithes; but this community was extraordinary, and not to last always.' Thirdly[73], 'The use of paying tithes, as the Church then stood, was so incommodious and cumbersome, that it could not well be practised. And therefore as circumcision was laid aside for a time, whilst Israel travelled through the wilderness, not because the people of right ought not then also to have used it, but because it was so incommodious for that estate and time of the Church, that it could not without great trouble be practised: even so the use of tithes in the time of Christ and his Apostles was laid aside, not because it ought not, but because it could not without great encumbrance, be done. And as circumcision was resumed, as soon as the estate of the Church could bear it; so tithes were re-established, as soon as the condition of the Church could suffer it. For tithes cannot well be paid, but where some whole state or kingdom receiveth Christianity, and where the magistrate doth favour the Church, which was not in the time of the Apostles.' To

[71] Divine Right of Tithes, ch. 4. (p. 22.) Thirdly, &c.

[72] Ibid. (p. 22.) Fourthly, &c.

[73] This third argument is not Carleton's, but the author's; suggested, it would seem, by some other remark of the bishop. See ch. 4. (p. 23.) Now, because tithes, the ordinary maintenance, could not be paid without great incumbrance, &c. ED.]

these reasons some other learned persons[74] have added a fourth, which is also worth noting, 'That the tithes of fruits were not so early paid to Christian priests, because the inhabitants of the country were the latest converts; whence also the name *pagans* stuck by the heathens, because the greatest relics of them were in country villages.'

In what age they were first generally settled upon the Church.

3. As to the last inquiry, When tithes began first to be generally settled upon the Church? the common opinion is, that it was in the fourth century when magistrates began to favour the Church, and the world was generally converted from heathenism. Some think Constantine settled them by law upon the Church; so Alsted[75], who cites Hermannus Gigas for the same opinion. But there is no law of Constantine's now extant that makes express mention of any such thing. That which comes the nearest to it seems to be the law about an annual allowance of corn to the clergy in all cities out of the public treasuries, which has been spoken of in the last chapter; but this was not so much as a tenth of the yearly product; for the whole tribute itself seems to have been no more. For in some laws of the Theodosian Code[76] the emperor's tribute is called *decimæ, tithes;* and the publicans, who collected it, are upon that account by Tully[77] called *decumani:* and in Hesychius the word δεκατεύειν, *to tithe,* is explained by τελωνεῖν and δεκάτην εἰσπράττεσθαι, *to pay tribute,* or *pay their tithes* to the

[74] Fell, Not. in Cypr. Ep. 66. [al. 1.] (p. 170. n. 3.) Serius quidem *decimas ex fructibus* accipiebant sacerdotes Christiani, quia ruris incolæ, quique agriculturam exercebant, non nisi sero ad fidem erant conversi; unde paganorum nomen ethnicis adhæsit.

[75] Supplem. Chamier. de Membr. Eccles. c. 10. n. 3. (t. 4. append. p. 338.) Huc accedit, quod consuetudo illa, ut decimæ ad N. T. ecclesias pervenerint, a Christianis imperatoribus primo haud dubie est profecta. Nam Hermannus Gigas auctor est, Constantinum M. præcepisse, ut de rebus omnibus decimæ ecclesiis omnibus solverentur.

[76] L. 10. tit. 19. De Metallis, leg. 10. (t. 3. p. 499.) Cuncti, qui per privatorum loca saxorum venam laboriosis effossionibus persequuntur, decimas fisco, decimas etiam domino repræsentent.—Ibid. leg. 11. (p. 499.) Hi, quibus ad exercenda metalla privata dives marmorum vena consentit, exscidendi exsecandique, juxta legem dudum latam, habeant facultatem, ita ut decima pars fisci nostri utilitatibus, decima ei, cujus locus est, deputetur.

[77] Orat. 3. in Verrem, n. 54. [al. 21.] (v. 4. p. 1314.) Apronius decumanus non decumam debitam, non frumentum remotum atque celatum; sed tritici septem millia medimnum ex Nymphonis arationibus, edicti pœna, non redemptionis aliquo jure, tollit.—Ibid. n. 55. [al. 22.] (p. 1315.) Hac ille vi et hoc metu adductus, tantum decumanis, quantum iste imperavit, exsolvit.

collectors of the tribute. Unless therefore we can suppose that Constantine settled the whole tribute of the empire upon the Church, which it is evident he did not, we cannot take that law for a settlement of tithes upon the clergy. Yet it might be a step towards it; for before the end of the fourth century, as Mr. Selden[78] himself not only confesses, but proves, out of Cassian, Eugippius, and others, tithes were paid to the Church. St. Austin lived in this age, and he says tithes were paid before his time, and much better than they were in his own time; for he makes a great complaint of the non-payment of them. 'Our forefathers,' says he[79], 'abounded in all things, because they gave tithes to God, and tribute to Cæsar. But now, because our devotion to God is sunk, the taxes of the State are raised upon us. We would not give God his part in the tithes, and therefore the whole is taken away from us. The exchequer devours what we would not give to Christ.' St. Chrysostom[80] and the author of the Opus Imperfectum on St. Matthew[81] that goes under his name, testify for the practice of other Churches about the same time. And it were easy to add a list of many other Fathers and Councils[82] of the next age, which speak o

[78] Hist. of Tithes, ch. 5. p. 47. (t. 2. of v. 3. pp. 1101, seqq.) In Egypt also, &c.

[79] Hom. 48. ex 50. t. 10. p. 201. [al. Append. Serm. 86. c. 2.] (t. 5. p. 156 a.) Majores nostri ideo copiis omnibus abundabant, quia Deo decimas dabant, et Cæsari censum reddebant. Modo autem quia decessit devotio Dei, accessit indictio fisci. Nolumus partiri cum Deo decimas, modo autem totum tollitur. Hoc tollit fiscus, quod non accipit Christus.

[80] Hom. 4. in Eph. [c. 2.] p. 1058. (t. 11. p. 31 a.) Τί γὰρ οὐκ ἐποίουν; ἐκεῖνοι δεκάτας, καὶ πάλιν δεκάτας ἑτέρας παρεῖχον· ὀρφανοῖς, χήραις, προσηλύτοις ἐπήρκουν· ἀλλὰ ἐμοί τις θαυμάζων τινὰ ἔλεγε· δεκάτας δίδωσιν ὁ δεῖνα· πόσης αἰσχύνης τοῦτο γέμει, εἰ ὁ ἐπὶ τῶν Ἰουδαίων οὐκ ἦν θαυμαστοῦ, τοῦτο ἐπὶ τῶν Χριστιανῶν θαυμαστὸν γέγονεν· εἰ τότε κίνδυνος ἦν, τὸ δεκάτας ἀπολιπεῖν, ἐννόησον ὅσον ἐστὶ νῦν.

[81] In Matth. Hom. 44. (Oper. Chrysost. t. 6. p. 1886 c. d.) Sacerdotes ergo avaritia pleni, si qui de populo decimas non obtulisset ita eum corripiebant, quasi magnum crimen fecisset, qui decimam alicu jus rei vel saltem minimæ non ob tulisset: si quis autem de populo i Deum peccabat, aut lædebat ali quem, aut aliquid tale faciebat, ne mo curabat corripere eum .... Si enim et modo fit ... Si populus de cimas non obtulerit, murmuran omnes: et si peccantem populun viderint, nemo murmurat contr eum.

[82] C. Aurel. 1. anno 511. c. 17.— [This citation is erroneous. Th first Council of Orleans contains n canon on the subject of tithes. Ed. —C. Matiscon. 2. anno 588. c. 5. (t. 5 p. 981 d.) ... Leges divinæ, consu lentes sacerdotibus ac ministris ec clesiarum, pro hæreditatis portion omni populo præceperunt decima fructuum suorum locis sacris præ stare, ut nullo labore impediti hori legitimis spiritualibus possint vacar ministeriis.

tithes as then actually settled [illegible]. But since they who dispute most against the divine right of them do not deny this as to fact, it is needless to prosecute this matter any further; which they that please may see historically deduced through many centuries by Mr. Selden[83].

The original of first-fruits, and the manner of offering them.

4. There is one part more of Church revenues whose original remains to be inquired into, and that is *first-fruits*, which are frequently mentioned in the primitive writers. For not only those called the Apostolical Canons[84] and Constitutions[85] speak of them as part of the maintenance of the clergy, but writers more ancient and more authentic, as Origen and Irenæus, mention them also as oblations made to God. 'Celsus,' says Origen[86], 'would have us dedicate first-fruits to demons; but we dedicate them to Him, who said, "Let the earth bring forth grass, the herb yielding seed, and the fruit-tree yielding fruit after his kind." To whom we give our first-fruits, to Him also we send up our prayers, having a great high-priest that is entered into heaven, &c.' In like manner Irenæus says[87], 'Christ taught his disciples to offer the first-fruits of the creatures to God,' and that 'this was the Church's continual oblation with thanksgiving for the enjoyment of all the rest.' Which implies either that they had a particular form of thanksgiving, as there is in both the Greek and Latin Rituals; or else, that these first-fruits were offered with other oblations at the time of the eucharist. However this be, it is evident that as they were principally designed for agnizing the Creator, so they were

[83] Hist. of Tithes, ch. 5, &c. See n. 78, preceding.

[84] C. 4. See ch. 4. s. 2. p. 158. latter part of n. 97.

[85] L. 2. c. 25. tot. (Cotel. v. 1. p. 236.) and especially the passage (ibid. p. 238.) beginning, *Δεῖ γὰρ τοὺς τῇ ἐκκλησίᾳ προσεδρεύοντας ἐκ τῆς ἐκκλησίας διατρέφεσθαι, ἅτε ἱερεῖς, κ. τ. λ.*—L. 8. c. 40. Invocatio pro Primitiis. (ibid. p. 417.) *Εὐχαριστοῦμέν σοι, Κύριε Παντοκράτορ, Δημιουργὲ τῶν ὅλων καὶ Προνοητὰ διὰ τοῦ Μονογενοῦς σου Παιδὸς Ἰησοῦ Χριστοῦ τοῦ Κυρίου ἡμῶν, ἐπὶ ταῖς προσενεχθείσαις σοι ἀπαρχαῖς, οὐχ ὅσον ὀφείλομεν, ἀλλ' ὅσον δυνάμεθα.*

[86] Cont. Cels. l. 8. p. 400. (t. 1. p. 766 e.) *Ἀλλὰ καὶ ἀπαρχὰς Κέλσος μὲν δαιμονίοις ἀνατιθέναι βούλεται· ἡμεῖς δὲ τῷ εἰπόντι, Βλαστησάτω ἡ γῆ βοτάνην χόρτου, σπεῖρον σπέρμα κατὰ γένος καὶ καθ' ὁμοιότητα, καὶ ξύλον κάρπιμον ποιοῦν καρπὸν, οὗ τὸ σπέρμα αὐτοῦ ἐν αὐτῷ κατὰ γένος ἐπὶ τῆς γῆς· ᾧ δὲ τὰς ἀπαρχὰς ἀποδίδομεν, τούτῳ καὶ τὰς εὐχὰς ἀναπέμπομεν, ἔχοντες ἀρχιερέα μέγαν, διεληλυθότα τοὺς οὐρανοὺς, Ἰησοῦν τὸν Υἱὸν τοῦ Θεοῦ.*

[87] L. 4. c. 32. (p. 323. 3.) Sed et suis discipulis dans consilium primitias Deo offerre ex suis creaturis, &c.—Ibid. c. 34. (p. 325. 5.) Offerre igitur oportet Deo primitias ejus creaturæ, &c.

secondarily intended for the use of his servants; and therefore we find the Eustathian heretics censured by the Synod of Gangra[88], anno 324, 'for that they took the first-fruits, which were anciently given to the Church, and divided them among the saints of their own party.' In opposition to which practice there are two canons[89] made by that Council, forbidding any one to receive or distribute such oblations out of the Church, otherwise than by the directions of the bishop, under pain of excommunication. Some other rules are also given by one of the Councils of Carthage, inserted into the African Code[90], concerning these first-fruits, that they should be only of grapes and corn; which shews that it was also the practice of the African Church. Nazianzen[91] likewise mentions the first-fruits of the wine-press and the floor, which were to be dedicated to God. And the author of the Constitutions has a form of prayer[92], *ἐπίκλησις ἐπὶ ἀπαρχῶν, an invocation upon the first-fruits*, to be used at their dedication. So that it seems very clear that the offering of first-fruits was a very ancient and general custom in the Christian Church, and that this also contributed something toward the maintenance of the clergy, whose revenues I have now considered so far as concerns the several kinds and first original of them.

CHAP. VI.

Of the management and distribution of the revenues of the ancient clergy.

1. THE next thing to be considered is the ancient way of managing and distributing these revenues among the clergy, and such others as were dependants upon the Church. Which

[88] In Præfat. (t. 2. p. 413 e.) *Καρποφορίας τε τὰς ἐκκλησιαστικὰς τὰς ἀνέκαθεν διδομένας τῇ ἐκκλησίᾳ ἑαυτοῖς καὶ τοῖς σὺν αὐτοῖς, ὡς ἁγίοις, τὰς διαδόσεις ποιούμενοι.*

[89] In Præfat. c. 7. (ibid. p. 419 b.) *Εἴ τις καρποφορίας ἐκκλησιαστικὰς ἐθέλοι λαμβάνειν, ἢ διδόναι ἔξω τῆς ἐκκλησίας, παρὰ γνώμην τοῦ ἐπισκόπου, ἢ τοῦ ἐγκεχειρισμένου τὰ τοιαῦτα, καὶ μὴ μετὰ γνώμης αὐτοῦ ἐθέλοι πράττειν, ἀνάθεμα ἔστω.*—Can. 8. (ibid.) *Εἴ τις διδοῖ ἢ λαμβάνοι καρποφορίαν παρεκτὸς τοῦ ἐπισκόπου, ἢ τοῦ ἐπιτεταγμένου εἰς οἰκονομίαν εὐποιΐας, καὶ ὁ διδοὺς καὶ ὁ λαμβάνων ἀνάθεμα ἔστω.*

[90] C. 37. al. 40. (ibid. p. 1067 e.) ... *Μηδὲν δὲ πλέον ἐν ταῖς ἀπαρχαῖς προσφερέσθω, ἢ ἀπὸ σταφυλῶν καὶ σίτου.*

[91] Ep. 80. (t. 1. p. 833 d.) ..... *Ἀπαρχὰς ἅλωνός τε καὶ ληνοῦ, καὶ τέκνων τοὺς ἀληθῶς φιλοτέκνους ἀνατιθέναι Θεῷ δίκαιόν τε καὶ ὅσιον.*

[92] L. 8. c. 40. See the second part of n. 85, preceding.

being a little different from the way of later ages, since settlements were made upon parochial churches, for the right understanding of it we are in the first place to observe, that anciently the revenues of the whole diocese were all in the hands of the bishop; who, with the advice and consent of his senate of presbyters, distributed them as the occasions of the Church required. This will appear evident to any one that will consider these two things, which will hereafter be proved, when we come to speak of parochial churches and their original. First, that there were anciently no presbyters or other clergy fixed upon particular churches, or congregations in the same city or diocese; but they were served indifferently by any presbyter from the *ecclesia matrix*, *the mother* or *cathedral church*, to which all the clergy of the city or diocese belonged, and not to any particular congregation. Secondly, that when presbyters were fixed to particular churches or assemblies in some cities, yet still those churches had no separate revenues; but the maintenance of the clergy officiating in them was from the common stock of the mother-church, into which all the oblations of particular churches were put, as into a common fund, that from thence there might be made a general distribution. That thus it was at Constantinople, till the middle of the fifth century, is evident from what we find in Theodorus Lector[93], who says that Marcian, the *œconomus* or *guardian* of that Church, under Gennadius, anno 460, was the first that ordered the clergy of every particular church to receive the offerings of their own church, whereas before the great church received them all.

Chiefly in the hands of the bishop.

2. Now this being the ancient custom, it gives us a clear account how all the revenues of the Church came to be in the hands of the bishop, and how it was made one part of his office and duty by the canons to concern himself in the care and distribution of them. Of which, because I have already spoken elsewhere[94], I shall say no more in this place; save only that the bishop himself, to avoid suspicion and prevent mismanage-

And by his care distributed among the clergy.

[93] L. 1. p. 553. (v. 3. p. 566. 10.) Προεβάλετο δὲ Γεννάδιος Μαρκιανὸν, οἰκονόμον τῆς τῶν Καθαρῶν ὄντα θρησκείας, εἰς τὴν ἐκκλησίαν μετελθόντα· ὃς, ἅμα τῷ γενέσθαι οἰκονόμον, τὰ προσφερόμενα ἐν ἑκάστῃ ἐκκλησίᾳ, τοὺς τοῦ τόπου κληρικοὺς κομίζεσθαι διετύπωσεν, ἕως τούτου τῆς μεγάλης ἐκκλησίας πάντα κομιζομένης.

[94] B. 2. c. 4. s. 6. v. 1. p. 93.

ment. was obliged to give an account of his administration in a provincial synod[95]; as also at his election to exhibit a list of his own goods and estate[96], that such things as belonged to him might be distinguished from those that belonged to God and the Church. And for the same reason, the great Council of Chalcedon[97] ordered, 'that every bishop should have an *œconomus*, or *guardian* of the church, and he to be chosen by the vote of all the clergy,' as has been noted in another place[98].

s about livi- of ch-re- ies.

3. As to the distribution itself, in the most primitive ages we find no certain rules about it; but as it was in the Apostles' days, so it continued for some time after: what was collected was usually deposited with the bishop, and distribution was made to every man according as he had need. But the following ages brought the matter to some certain rules, and then the revenues were divided into certain portions, monthly or yearly, according as occasion required; and these proportioned to the state or needs of every order. In the Western Church, the division was usually into three or four parts; whereof one fell to the bishop, a second to the rest of the clergy, a third to the poor, and the fourth was applied to the maintenance of the fabric and other necessary uses of the church. The Council of Bracara[99] makes but three parts: one for the bishop, another for the clergy, and the third for the fabric and lights of the church. But then it was supposed that the bishop's hospitality should, out of such a proportion, provide for the necessities of the poor. By other rules[1], the poor, that is, all distressed

[95] Vid. C. Antioch. c. 25. (t. 2. p. 573 b.) Εἰ μεταβάλλοι τὰ πράγματα εἰς οἰκιακὰς αὐτοῦ χρείας καὶ τοὺς πόρους τῆς ἐκκλησίας, ἢ τοὺς ἀγρῶν καρποὺς, μὴ μετὰ γνώμης τῶν πρεσβυτέρων ἢ τῶν διακόνων, χειρίζοι, ἀλλ' οἰκείοις αὐτοῦ, καὶ συγγενέσιν, ἢ ἀδελφοῖς, ἢ υἱοῖς, παράσχοιτο τὸν ἐξουσίαν, εἰς τὸ διὰ τῶν τοιούτων λεληθότως βλάπτεσθαι τοὺς λόγους τῆς ἐκκλησίας· τοῦτον εὐθύνας παρέχειν τῇ συνόδῳ τῆς ἐπαρχίας.

[96] Can. Apost. 39. al. 40. (Cotel. [c. 33.] v. 1. p. 443.) Ἔστω φανερὰ τὰ ἴδια τοῦ ἐπισκόπου πράγματα, εἴγε καὶ ἴδια ἔχει, καὶ φανερὰ τὰ κυριακὰ, ἵνα ἐξουσίαν ἔχῃ τῶν ἰδίων τελευτῶν ὁ ἐπίσκοπος, ὡς βούληται καὶ οἷς βούληται [al. οἷς βούλεται, καὶ ὡς βούλεται,] καταλεῖψαι, κ.τ.λ.

[97] C. 25. (t. 4. p. 767 b.) Τὴν μέν τοι πρόσοδον τῆς χηρευούσης ἐκκλησίας σώαν φυλάττεσθαι παρὰ τῷ οἰκονόμῳ τῆς ἐκκλησίας.

[98] B. 3. c. 12. s. 4. v. 1. p. 359.

[99] Bracar. 1. c. 25. [Labbe, Bracar. 2. c. 7.] (t. 5. p. 840 c.) Placuit, ut de rebus ecclesiasticis fiant tres æquæ portiones, id est, una episcopi, alia clericorum, tertia in reparatione vel in luminariis ecclesiæ.

[1] Vid. Gelas. Ep. 1. al. 9. ad Episc. Lucan. c. 27. (CC. t. 4. p. 1195 c.) Quatuor autem tam de reditu, quam de oblatione fidelium... convenit fieri portiones, quarum sit una pontificis, altera clericorum,

people, the virgins and widows of the church, together with the martyrs and confessors in prison, the sick and strangers, have one-fourth in the dividend expressly allotted them. For all these had relief, though not a perfect maintenance, from the charity of the Church. At Rome there were fifteen hundred such persons, besides the clergy, provided for in this way in the time of Cornelius[2]; and above three thousand at Antioch in the time of Chrysostom[3]: by which we may make an estimate of the revenues and charities of those populous Churches.

In some churches the clergy lived all in common.

4. In some Churches they made no such division, but lived all in common, the clergy with the bishop, as it were in one mansion and at one table. But this they did not by any general canon, but only upon choice, or particular combination and agreement in some particular Churches. As Sozomen[4] notes it to have been the custom at Rinocurura in Egypt, and Possidius[5] affirms the same of the Church of St. Austin. What was the practice of St. Austin and his clergy we cannot better learn than from St. Austin himself, who tells us[6], 'that all his clergy laid themselves voluntarily under an obligation to have all things in common; and therefore none of them could have

pauperum tertia, quarta fabricis applicanda.—Simplic. Ep. 3. ad Florent. (ibid. p. 1069 e.) ... De reditibus ecclesiæ vel oblatione fidelium, quid deceat nescienti, nihil licere permittat, sed sola ei ex his quarta portio remittatur. Duæ, ecclesiasticis fabricis et erogationi peregrinorum et pauperum profuturæ, ab Onagro presbytero sub periculo sui ordinis ministrentur: ultima inter se clericis pro singulorum meritis dividatur.—Greg. M. l. 3. Ep. 11. (CC. t. 5. p. 1143 c.) Cognovimus de reditibus ecclesiarum noviter acquisitis canonicam dispositionem quartarum minime convenire, sed episcopos locorum tantummodo distribuere quartam antiquorum redituum, nunc vero quæsita suis usibus retinere. Quam rem pravam subintroductamque consuetudinem fraternitas tua vivaciter emendare festinet, ut sive de præteritis reditibus, sive de iis quæ nunc obvenerunt, vel obvenerint, quartæ secundum distributionem canonicam dispensentur.

[2] Ep. ad Fab. ap. Euseb. l. 6. c. 43. (v. 1. p. 312. 10.) Ἐν ᾗ οὐκ ἠγνόει .. χήρας σὺν θλιβομένοις ὑπὲρ τὰς χιλίας πεντακοσίας, οὓς πάντας ἡ τοῦ δεσπότου χάρις καὶ φιλανθρωπία διατρέφει.

[3] Hom. 67. [Bened. 66. al. 67.] in Matth. t. 1. p. 720. (t. 7. p. 658 b.) Ἐννόησον ὅσαις ἀπαρκεῖ καθ' ἑκαστὴν ἡμέραν χήραις, ὅσαις παρθένοις· καὶ γὰρ εἰς τὸν τῶν τρισχιλίων ἀριθμὸν ὁ καταλόγος αὐτῶν ἔφθασε.

[4] L. 6. c. 31. See b. 3. ch. 1. s. 4. vol. 1. p. 307. n. 26.

[5] Vit. August. c. 25. See before, ibid. n. 25.

[6] Serm. 50. de Divers. t. 10. p. 523. [al. Serm. 356. de Vit. et Morib. Clericorum, 2.] (t. 5. p. 1390 c.) Quia placuit illis, Deo propitio, socialis hæc vita, quisquis cum hypocrisi vixerit, quisquis inventus fuerit habens proprium, non illi permitto ut inde faciat testamentum, sed delebo eum de tabula clericorum. Interpellet contra me mille concilia, naviget contra me quo voluerit, sit certe ubi potuerit; adjuvabit me Deus, ut ubi ego episcopus sum, ille clericus esse non possit.

any property, or any thing to dispose of by will; or if they had, they were liable to be turned out, and have their names expunged out of the roll of the clergy: which he resolved to do, though they appealed to Rome, or to a thousand Councils against him; by the help of God they should not be clerks where he was bishop.' For his own part, he tells us[7], he was so punctual to this rule, 'that if any one presented him with a robe finer than ordinary, he was used to sell it; that since his clergy could not wear the same in kind, they might at least partake of the benefit, when it was sold and made common. But as this way of living would not comport with the state of all Churches, so there were but few that embraced it; and those that did were not compelled to it by any general law, but only by local statutes of their own appointment.

terations ade in ese mat- rs by the dowment parochial urches.

5. Yet in one of these two ways the clergy were commonly provided for out of the revenues of the great church, till such times as endowments and settlements began to be made upon parochial churches; which was not done in all places at the same time, nor in one and the same way. But it seems to have had its rise from particular founders of churches, who settled manse and glebe upon the churches which they builded, and upon that score were allowed a right of patronage, to present their own clerk, and invest him with the revenues of the church, wherewith they had endowed it. This practice was begun in the time of Justinian, anno 500, if not before; for there are two of his laws[8] which authorize and confirm it. About the same time a settlement of other revenues, as oblations, &c., was also made in some places upon parochial churches, as has been observed before out of Theodorus Lector's accounts of the churches of Constantinople. Yet the change is thought by some[9] to be much later in England. For they collect out

[7] Ibid. (p. 1389 f.) Ita modo dicturi sunt homines, quia inveni pretiosas vestes, quas non potuissem habere vel in domo patris mei, vel in illa sæculari professione mea. Non decet: talem debeo habere, qualem possim, si non habuerit, fratri meo dare. Qualem potest habere presbyter, qualem potest habere decenter diaconus, talem volo accipere: quia in commune accipio. Si quis meliorem dederit, vendo, quod et facere soleo: ut quando non potest vestis esse communis, pretium vestis sit commune.

[8] Novel. 57. c. 2. et Novel. 123. c. 18. See b. 4. ch. 2. s. 19. v. 2. p. 33. nn. 11, 12.

[9] Cawdrey, Discourse of Patronage, ch. 2. (p. 8.).... More than a hundred years after the coming of Augustine into Englnnd, that is,

of Bede[10], that the ancient course of the clergy's officiating only *pro tempore* in parochial churches, whilst they received maintenance from the cathedral church, continued in England more than an hundred years after the coming of Austin into England, that is, till about the year 700. For Bede plainly intimates, that at that time the bishop and his clergy lived together, and had all things common, as they had in the primitive Church in the days of the Apostles.

No alienations to be made of church-revenues or goods but upon extraordinary occasions

6. I have but one thing more to observe upon this head, which is, that such goods or revenues as were once given to the Church, were always esteemed devoted to God; and therefore were only to be employed in his service, and not to be diverted to any other use, except some extraordinary case of charity absolutely required it. As if it was to redeem captives, or relieve the poor in time of famine, when no other succours could be afforded them; in that case it was usual to sell even the sacred vessels and utensils of the church, to make provision for the living temples of God, which were to be preferred before the ornaments of the material buildings. Thus St. Ambrose melted down the communion-plate of the Church of Milan to redeem some captives, which otherwise must have continued in slavery; and, when the Arians objected this to him invidiously as a crime, he wrote a most elegant apology and vindication for himself, where among other things worthy the reader's perusal, he pleads his own cause[11] after this manner: 'Is it not better that the bishop should melt the plate to sustain the poor, when other sustenance cannot be had, than that some sacrilegious enemy should carry it off by

about the year of our Lord 700.—Selden, Hist. of Tithes, ch. 9. p. 255. (t. 2. of vol. 3. p. 1210.) At what time these lay foundations, &c.

[10] Hist. Gent. Anglor. l. 4. c. 27. (p. 176. 24.) Siquidem a temporibus ibidem antiquis et episcopus cum clero, et abbas solebat manere cum monachis, qui tamen et ipsi ad curam episcopi familiariter pertinerent. Quia nimirum Ædan, qui primus ejus loci episcopus fuit, cum monachis illuc et ipse monachus adveniens, monachicam in eo conversationem instituit. Quomodo et prius beatus pater Augustinus in Cantia fecisse noscitur, scribente ei reverendissimo Papa Gregorio, quod et supra posuimus. Sed quia tua fraternitas, inquit, monasterii regulis erudita seorsum fieri non debet a clericis suis in ecclesia Anglorum, quæ nuper, auctore Deo, ad fidem perducta est, hanc debet conversationem instituere, quæ in initio nascentis ecclesiæ fuit patribus nostris, in quibus nullus eorum ex his, quæ possidebant, aliquod suum esse dicebat: sed erant illis omnia communia.

[11] De Offic. l. 2. c. 28. (t. 2. p. 102 e.) Melius est enim, &c.

spoil and plunder? Will not our Lord expostulate with us upon this account? Why did you suffer so many helpless persons to die with famine, when you had gold to provide them sustenance? Why were so many captives carried away and sold without redemption? Why were so many suffered to be slain by the enemy? It had been better to have preserved the vessels of living men, than lifeless metals. What answer can be returned to this? For what shall a man say? I was afraid lest the temple of God should want its ornaments. But Christ will answer; My sacraments do not require gold, nor please me the more for being ministered in gold, which are not bought with gold. The ornament of my sacraments is the redemption of captives, and those are truly precious vessels which redeem souls from death.' Thus that holy father goes on to justify the fact, which the Arians called sacrilege, but he, by a truer name, charity and mercy; for the sake of which he concludes it was no crime for a man to break, to melt, to sell the mystical vessels of the Church, though it were a very great offence for any man to convert them to his own private use. After the same example we find St. Austin[12] disposed of the plate of his church for the redemption of captives. Acacius, bishop of Amida, did the same for the redemption of seven thousand Persian slaves from the hands of the Roman soldiers, as Socrates[13] informs us. From whence we also learn, that in such cases they did not consider what religion men were of, but only

[12] Vid. Possid. Vit. August. c. 24. (t. 10. append. p. 274 e.) .... Nam et de vasis dominicis, propter captivos et quamplurimos indigentes, frangi et conflari jubebat et indigentibus dispensari. —[Conf. Cav. Hist. Liter. (v. 1. p. 243.) .... Pauperum studiosus, quibus vel ex reditibus ecclesiæ vel ex oblationibus fidelium prospiciebat, &c. ED.]

[13] L. 7. c. 21. (v. 2. p. 367. 25. *Τότε δὴ καὶ Ἀκάκιον, τὸν τῆς Ἀμίδης ἐπίσκοπον, πρᾶξις ἀγαθὴ περιφανέστερον πεποίηκε τοῖς πᾶσιν· ὡς γὰρ οἱ Ῥωμαίων στρατιῶται τοὺς αἰχμαλώτους Περσῶν, οὓς τὴν Ἀζαζηνὴν πορθήσαντες ἔλαβον, ἀποδοῦναι τῶν Περσῶν βασιλεῖ κατ' οὐδένα τρόπον ἐβούλοντο, λιμῷ τε οἱ αἰχμάλωτοι ἐφθείροντο, περὶ τοὺς ἑπτακισχιλίους ὄντες τὸν ἀριθμόν· καὶ ταῦτα οὐ μικρῶς ἐλύπει τὸν βασιλέα τῶν Περσῶν· τότε ὁ Ἀκάκιος οὐ παρεῖδε ταῦτα γινόμενα· συγκαλέσας δὲ τοὺς ὑφ' αὑτῷ κληρικοὺς ἄνδρας, ἔφη· Ὁ Θεὸς ἡμῶν οὔτε δίσκων, οὔτε ποτηρίων χρῄζει· οὔτε γὰρ ἐσθίει, οὔτε πίνει, ἐπεὶ μὴ προσδεής ἐστιν· ἐπεὶ τοίνυν πολλὰ κειμήλια χρυσᾶ τε καὶ ἀργυρᾶ ἡ ἐκκλησία ἐκ τῆς εὐγνωμοσύνης τῶν προσηκόντων αὐτῇ κέκτηται, προσήκει ἐκ τούτων ῥύσασθαί τε τῶν στρατιωτῶν τοὺς αἰχμαλώτους, καὶ διαθρέψαι αὐτούς· Ταῦτα καὶ ἄλλα πλείονα τούτοις παραπλήσια διεξελθὼν χωνεύει μὲν τὰ κειμήλια· τιμήματα δὲ τοῖς στρατιώταις ὑπὲρ τῶν αἰχμαλώτων καταβαλὼν, καὶ διαθρέψας αὐτούς, εἶτα δοὺς ἐφόδια, τῷ οἰκείῳ ἀπέπεμψε βασιλεῖ.*

whether they were indigent and necessitous men, and such as stood in need of their assistance. We have the like instances in the practice of Cyril of Jerusalem, mentioned by Theodoret[14] and Sozomen[15], and in Deogratias, bishop of Carthage, whose charity is extolled by Victor Uticensis[16], upon the same occasion: for he sold the communion-plate to redeem the Roman soldiers, that were taken captives in their wars with the Vandals. This was so far from being esteemed sacrilege or unjust alienation, that the laws against sacrilege excepted this case, though they did no other whatsoever: as may be seen in the law of Justinian[17], which forbids 'the selling or pawning the church-plate, or vestments, or any other gifts, except in case of captivity or famine, to redeem slaves, or relieve the poor; because in such cases the lives or souls of men were to be preferred before any vessels or vestments whatsoever.' The poverty of the clergy was a pitiable case of the same nature; and therefore if the annual income of the church would not maintain them, and there was no other way

[14] L. 2. c. 27. (v. 3. p. 110. 21.) *Τὴν γὰρ ἱερὰν στολὴν, ἣν ὁ πανεύφημος Κωνσταντῖνος ὁ βασιλεὺς, τὴν Ἱεροσολύμων ἐκκλησίαν γεραίρων, δεδώκει τῷ Μακαρίῳ τῷ τῆς πολέως ἐκείνης ἀρχιερεῖ, ἵνα ταύτην περιβαλλόμενος τὴν τοῦ θείου βαπτίσματος ἐπιτελῇ λειτουργίαν· ἐκ χρυσῶν δὲ αὖτη κατεσκεύαστο νημάτων· πεπρακέναι τὸν Κύριλλον ἔφη, κ. τ. λ.*

[15] L. 4. c. 25. (v. 2. p. 171. 28.) *Λιμοῦ καταλαβόντος τὴν Ἱεροσολύμων χώραν, ὡς εἰς ἐπίσκοπον ἔβλεπε τὸ τῶν δεομένων πλῆθος, τῆς ἀναγκαίας τροφῆς ἀπορούμενον· ἐπεὶ δὲ χρήματα οὐκ ἦν, οἷς ἐπικουρεῖν ἔδει, κειμήλια καὶ ἱερὰ παραπετάσματα ἀπέδοτο· κ. τ. λ.*

[16] De Persecut. Vandal. l. 1. ap. Bibl. Patr. t. 7. p. 501. (ap. Bibl. Max. t. 8. p. 677 e. 9.) Posthæc factum est, supplicante Valentiniano Augusto, Carthaginiensi ecclesiæ, post longum silentium desolationis, episcopum ordinari, nomine Deogratias .... Illo igitur episcopo constituto, factum est peccatis urgentibus, ut urbem illam quondam nobilissimam atque famosam, quintodecimo regni sui anno, Geisericus caperet Romam. Et simul exinde regum multorum divitias cum populis captivavit. Quæ dum multitudo captivitatis Africanum attingeret littus, dividentibus Vandalis et Mauris ingentem populi quantitatem, ut moris est Barbaris, mariti ab uxoribus, liberi a parentibus separabantur. Statim sategit vir Deo plenus et clarus universa vasa ministerii aurea vel argentea distrahere, et libertatem de servitute barbarica liberare, et ut conjugalia fœdera manerent, et pignora genitoribus redderentur.

[17] Cod. l. 1. tit. 2. de Ecclesiis, leg. 21. (t. 4. p. 60.) Sancimus, nemini licere sacratissima atque arcana vasa, vel vestes, cæteraque donaria, quæ ad divinam religionem necessaria sunt .... vel ad venditionem, vel ad hypothecam, vel [ad] pignus trahere .... excepta videlicet causa captivitatis et famis, in locis quibus hoc, quod abominamur, contigerit. Nam si necessitas fuerit in redemptione captivorum, tunc et venditionem præfatarum rerum divinarum, et hypothecam, et pignorationes fieri concedimus: quoniam non absurdum est, animas hominum quibuscunque vasis vel vestimentis præferri, &c.

to provide them of necessaries; in that case some canons[18] allowed the bishop to alienate or sell certain goods of the church, to raise a present maintenance.

7. But that no fraud might be committed in any such cases, the same canons did specially provide, 'that when any urgent necessity compelled the bishop to take this extraordinary course, he should first consult his clergy, and also the metropolitan, and others his comprovincial bishops, that they might judge of the necessity, and whether it were a reasonable ground for such a proceeding.' The fourth Council of Carthage[19] disannuls all such acts of the bishop, whereby he either gives away, or sells, or commutes any goods of the church, without the consent and subscription of his clergy. And the fifth Council of Carthage[20] requires him to intimate the case and necessity of his church first to the primate of the province, that he, with a certain number of bishops, may judge whether it be fitting to be done. The Council of Agde[21] says, 'he should first consult two or three of his neighbouring bishops, and take their approbation.' Thus stood the laws of the Church so long as the bishop and his clergy had a common right in the dividend of ecclesiastical revenues; nothing could be alienated without the consent of both parties, and the cognizance and ratification of the metropolitan or provincial synod. So that the utmost precaution was taken in this affair, lest, under the pretence of necessity or charity, any spoil or devastation should be made of the goods and revenues of the Church.

[18] See nn. 20 and 21, following.

[20] C. 4. (t. 2. p. 1216 a.) Placuit etiam ut rem ecclesiæ nemo vendat. Quod si aliqua necessitas cogit, hanc insinuandam esse primati provinciæ ipsius, ut cum statuto numero episcoporum utrum faciendum sit, arbitretur.

[19] C. 32. (t. 2. p. 1202 e.) Irrita erit donatio episcoporum, vel venditio vel commutatio rei ecclesiasticæ, absque conniventia et subscriptione clericorum.

[21] C. 7. (t. 4. p. 1384 b.) ... Quod si necessitas certa compulerit, ... apud duos vel tres comprovinciales vel vicinos episcopos, causa, qua necesse sit vendi, primitus comprobetur: &c.

BOOK VI.

AN ACCOUNT OF SEVERAL LAWS AND RULES, RELATING TO THE EMPLOYMENT, LIFE, AND CONVERSATION OF THE PRIMITIVE CLERGY.

CHAP. I.

Of the excellency of these rules in general, and the exemplariness of the clergy in conforming to them.

The excellency of the Christian rules attested and envied by the heathens.

1. I HAVE, in the two foregoing books, given an account of the great care of the primitive Church in providing and training up fit persons for the ministry, and of the great encouragements that were given them by the State, as well to honour and distinguish their calling, as to excite and provoke them to be sedulous in the discharge of their several offices and functions. There is one thing more remains, which is, to give an account also of the Church's care in making necessary laws and canons, obliging every member of the ecclesiastic body to live conformably to his profession, and exercise himself in the duties of his station and calling. These rules were, many of them, so excellent in their own nature, and so strictly and carefully observed by those who had a concern in them, that some of the chief adversaries of the Christian religion could not but take notice of them, and with a sort of envy and emulation bear testimony to them. Among the works of Julian there is a famous Epistle of his to Arsacius, high priest of Galatia, which is recorded also by Sozomen[22], wherein he takes

[22] L. 5. c. 16. (v. 2. p. 203. 36.) Οὐδὲ ἀποβλέπομεν, ὃ μάλιστα τὴν ἀθεότητα συνηύξησεν, ἡ περὶ τοὺς ξένους φιλανθρωπία, καὶ ἡ περὶ τὰς ταφὰς τῶν νεκρῶν προμήθεια, καὶ ἡ πεπλασμένη σεμνότης κατὰ τὸν βίον· ὧν ἕκαστον οἶομαι χρῆναι παρ' ἡμῶν ἀληθῶς ἐπιτηδεύεσθαι· καὶ οὐκ ἀπόχρη τό σε μόνον εἶναι τοιοῦτον, ἀλλὰ πάντας ἁπαξαπλῶς, οἱ περὶ τὴν Γαλατίαν εἰσὶν ἱερεῖς· οὓς ἢ δυσώπησον, ἢ πεῖσον εἶναι σπουδαίους· ἢ τῆς ἱερατικῆς

occasion to tell him, 'that it was very visible that the causes of the great increase of Christianity were chiefly their professed hospitality towards strangers, and their great care in burying the dead, joined with a pretended sanctity and holiness of life.' Therefore he bids him, as high priest of Galatia, to take care 'that all the priests of that region, that were under him, should be made to answer the same character; and that he should, either by his threatenings or persuasions, bring them to be diligent and sober men, or else remove them from the office of priesthood; that he should admonish the priests, neither to appear at the theatre, nor frequent the tavern, nor follow any calling or employment that was dishonourable and scandalous; and such as were observant of his directions, he should honour and promote them, but discard and expel the refractory and contumacious.' This is plainly to say, and it is so much the more remarkable for its coming from the mouth of an adversary, that the Christian clergy of those times were men that lived by excellent rules, diligent in their employment, grave and sober in their deportment, charitable to the indigent, and cautious and reserved in their whole conversation and behaviour toward all men. Which as it tended mightily to propagate and advance Christianity in the world, so it was what Julian, upon that account, could not but look upon with an envious eye, and desire that his idol-priests might gain the same character; thereby to eclipse the envied reputation of the other, and reflect honour and lustre upon his beloved heathen religion. We have the like testimonies in Ammianus Marcellinus[23] and others, concerning the frugality, temperance, modesty, and humility of Christian bishops in their own times: which coming from the pens of professed heathens, and such as did neither spare the emperors themselves, nor the

λειτουργίας ἀπόστησον, εἰ μὴ προσέρχοιντο μετὰ γυναικῶν καὶ παίδων καὶ θεραπόντων τοῖς θεοῖς, ἀλλὰ ἐνέχοιντο τῶν οἰκετῶν, ἢ υἱέων, ἢ τῶν Γαλιλαίων [illegible] ἀσεβούντων μὲν εἰς τοὺς θεούς, [illegible] δὲ θεοσεβείας προτι-[illegible] ἔπειτα παραίνεσον ἱερέα, μήτε θεάτρῳ παραβάλλειν, μήτε ἐν καπηλείῳ πίνειν, ἢ τέχνης τινὸς καὶ ἐργασίας αἰσχρᾶς καὶ ἐπονειδίστου προΐστασθαι· καὶ τοὺς μὲν πειθομένους τίμα, τοὺς δὲ ἀπειθοῦντας ἐξώθει.

[23] L. 27. c. 3. (p. 481.) Qui esse poterant beati revera, si, magnitudine urbis despecta, quam vitiis opponunt, ad imitationem antistitum quorundam provincialium viverent: quos tenuitas edendi potandique parcissime, vilitas etiam indumentorum, et supercilia humum spectantia, perpetuo Numini verisque ejus cultoribus ut puros commendant et verecundos.

bishops of Rome, who lived in greater state and affluence, may well be thought authentic relations and just accounts of those holy men, whose commendations and characters, so ample, nothing but truth could have extorted from the adversaries of their religion.

The character of the clergy from Christian writers.

2. This being so, we may the more easily give credit to those noble panegyrics and encomiums, which some ancient Christian writers make upon the clergy and their virtues and discipline in general. Origen[24] says, 'it was the business of their life to traverse every corner of the world, and make converts and proselytes to godliness both in cities and villages. And they were so far from making a gain hereof, that many of them took nothing for their service; and those that did took only what was necessary for their present subsistence; though there wanted not persons enough who in their liberality were ready to have communicated much more to them.' St. Austin[25] gives the like good character of the bishops and presbyters of his own time, making them the chief ornament of the Catholic Church, and extolling their virtues above those of a monastic life, because their province was more difficult, having to converse with all sorts of men, and being forced to bear with their distempers in order to cure them. He that would see more of this general character must consult the ancient Apologists, where he will find it interwoven with the character of Christians in general; whose innocence, and patience, and charity, and universal goodness, was owing partly to the institutions, and partly to the provoking examples of their guides and leaders; who lived as they spake, and first trod the path

[24] Cont. Cels. l. 3. p. 116. (t. 1. p. 453 a.) ... Τινὲς οὖν ἔργον πεποίηνται ἐκπεριέρχεσθαι οὐ μόνον πόλεις, ἀλλὰ καὶ κώμας, καὶ ἐπαύλεις· ἵνα καὶ ἄλλους εὐσεβεῖς τῷ Θεῷ κατασκευάσωσι· καὶ οὐκ ἂν πλούτου τις ἕνεκα φήσαι αὐτοὺς τοῦτο πράττειν, ἐσθ' ὅτε μὲν οὐδὲ τὰ πρὸς τροφὴν λαμβάνοντας· εἴ ποτε δὲ ἀναγκάζοιντο ὑπὸ τῆς ἀπορίας ταύτης, τῇ χρείᾳ μόνῃ ἀρκουμένους, κἂν πλείους αὐτοῖς κοινωνεῖν ἐθέλωσι καὶ μεταδιδόναι τὰ ὑπὲρ τὴν χρείαν [al. τῆς χρείας.]

[25] De Morib. Eccles. Cathol. c. 32. t. 1. p. 330. (t. 1. p. 711 e.) Quam enim multos episcopos, optimos viros sanctissimosque cognovi, quam multos presbyteros, quam multos diaconos et cujuscemodi [al. hujusmodi] ministros divinorum sacramentorum, quorum virtus eo mihi mirabilior et majore prædicatione dignior videtur, quo difficilius est eam in multiplici hominum genere, et in ista vita turbulentiore, servare. Non enim sanatis magis quam sanandis hominibus præsunt. Perpetienda sunt vitia multitudinis, ut curentur; et prius toleranda, quæ sedanda est pestilentia.

themselves which they required others to walk in. Which was the thing that set the Christian teachers so much above the philosophers of the Gentiles. For the philosophers indeed discoursed and wrote very finely about virtue in the theory, but they undid all they said in their own practice. 'Their discourses,' as Minucius observes[26], 'were only eloquent harangues against their own vices; whereas the Christian philosophers expressed their profession, not in their words or habit, but in the real virtues of the soul: they did not talk great, but live well; and so attained to that glory which the philosophers pretended always to be offering at, but could never happily arrive to.' Lactantius[27] triumphs over the Gentile philosophers upon the same topic; and so do Gregory Nazianzen[28], Tertullian[29], Cyprian[30], and many others; whose arguments had been easily retorted, had not the Christian teachers been generally men of a better character, and free from those imputations which they cast upon the adverse party.

Particular exceptions no derogation to their general good character.

3. Some few instances indeed, it cannot be denied, are to be found of persons, who in these best ages were scandals and reproaches to their profession. The complaints that are made by good men will not suffer us to believe otherwise. Cyprian[31]

[26] Octav. l. 3. [c. 38.] p. 116. (p. 185.) Philosophorum supercilia contemnimus, quos corruptores et adulteros novimus et tyrannos, et semper adversus sua vitia facundos. Nos non habitu sapientiam, sed mente præferimus: non eloquimur magna, sed vivimus: gloriamur nos consecutos, quod illi summa intentione quæsiverunt, nec invenire potuerunt.

[27] L. 4. c. 23. tot. (t. 1. pp. 334, seqq.) Quicunque præcepta, &c.—L. 3. c. 15. (ibid. p. 225.) Eodem ductus errore, &c.

[28] Orat. 3. Invect. 1. in Julian. (t. 1. p. 95 d.) Ἔπειτα πῶς, κ. τ. λ. —Ibid. (p. 103 c. d.) Ἡ καὶνταῦθα, κ. τ. λ.—Ibid. (p. 107 a.) Τί δ' ἂν εἴποις, κ. τ. λ.—Ibid. (p. 108 c. d.) Καίτοι πῶς ταῦτα, κ. τ. λ.—Ibid. (p. 109 a. b.) Τὸ γὰρ κάλλιστον, κ. τ. λ.

[29] Apol. c. 46. tot. (p. 35 b.) Constitimus, &c.

[30] De Bon. Patient. p. 210. (p. 145.) Hanc [patientiam] se sectari philosophi quoque profitentur, sed tam illic patientia falsa est, quam et falsa sapientia est. Unde enim vel sapiens esse vel patiens possit, qui nec sapientiam, nec patientiam Dei novit? .... Si sapiens [al. patiens] ille est, qui est humilis et mitis; philosophos autem videmus nec humiles esse nec mites, sed sibi multum placentes....Nos autem...qui philosophi non verbis sed factis sumus; nec vestitu sapientiam, sed veritate præferimus; qui virtutum conscientiam magis quam jactantiam novimus; qui non loquimur magna, sed vivimus; quasi servi et cultores Dei, patientiam, quam magisteriis cœlestibus discimus, obsequiis spiritualibus præbeamus, &c.

[31] De Lapsis, p. 124. (p. 88.) Dominus probari familiam suam voluit, et quia traditam nobis divinitus disciplinam pax longa corruperat, ja-

and Eusebius[32] lament the vices of some among the clergy as well as laity, and reckon them among the causes that moved the Divine Providence to send those two great fiery trials upon the Church, the Decian and the Diocletian persecutions; thereby to purge the tares from the wheat, and correct those enormities and abuses which the ordinary remedy of ecclesiastical discipline, through the iniquity of the times, was not able to redress. The like complaints are made by Chrysostom[33], Gregory Nazianzen[34], and St. Jerom[35], of some ecclesiastics in

centem fidem et pene dixerim dormientem, censura cœlestis erexit: cumque nos peccatis nostris amplius pati mereremur, clementissimus Dominus sic cuncta moderatus est, ut hoc omne, quod gestum est, exploratio potius quam persecutio videretur. Studebant augendo patrimonio singuli; et obliti quid credentes, aut sub Apostolis ante fecissent, aut semper facere deberent, insatiabili cupiditatis ardore ampliandis facultatibus incubabant. Non in sacerdotibus religio devota, non in ministris fides integra, non in operibus misericordia, non in moribus disciplina. Corrupta barba in viris, in fœminis forma fucata. Adulterati post Dei manus oculi, capilli mendacio colorati. Ad decipienda corda simplicium callidæ fraudes, circumveniendis fratribus subdolæ voluntates. Jungere cum infidelibus vinculum matrimonii, prostituere gentilibus membra Christi, non jurare tantum temere, sed adhuc etiam pejerare: præpositos superbo tumore contemnere, venenato sibi ore maledicere, odiis pertinacibus invicem dissidere: episcopi plurimi, quos et hortamento esse oportet cæteris et exemplo, divina procuratione contemta, procuratores rerum sæcularium fieri, derelicta cathedra, plebe deserta, per alienas provincias oberrantes, negotiationis quæstuosæ nundinas aucupari. Esurientibus in ecclesia fratribus non subvenire, habere argentum largiter velle, fundos insidiosis fraudibus rapere, usuris multiplicantibus fœnus augere, &c.

[32] L. 8. c. 1. (v. 1. p. 376. 26. seqq.) Ὡς δὲ ἐκ τῆς ἐπὶ πλέον ἐλευθερίας, κ. τ. λ.

[33] Hom. 30. in Act. (t. 9. p. 238 b.) Δίδαξόν με διὰ τοῦ βίου τοῦ σοῦ· αὕτη ἡ διδασκαλία ἀρίστη· λέγεις ὅτι δεῖ μετριάζειν, καὶ μακρὸν ὑπὲρ τούτου λόγον ἀποτείνεις, καὶ ῥητορεύεις ῥέων ἀκωλύτως; ἀλλὰ σοῦ βελτίων ἐκεῖνός, φησιν, ὁ δι' ἔργων τοῦτο παιδεύων ἐμέ· οὐ γὰρ οὕτως εἴωθεν ἐντίθεσθαι τῇ ψυχῇ τὰ μαθήματα ἀπὸ ῥημάτων, ὡς ἀπὸ πραγμάτων· ἐπεὶ καὶ ἐὰν μὴ τὸ ἔργον ἔχῃς, οὐ μόνον οὐκ ὠφέλησας εἰπὼν, ἀλλὰ καὶ μειζόνως ἔβλαψας· βέλτιον σιγᾷν· διατί; ὅτι ἀδύνατόν μοι τὸ πρᾶγμα καθιστᾶς· ἐννοῶ γὰρ, ὅτε εἰ σὺ ὁ ταῦτα λέγων οὐ κατορθοῖς, πολλῷ μᾶλλον ἐγὼ συγγνώμης ἄξιος λέγων μηδένα· διὰ τοῦτό φησιν ὁ προφήτης· Τῷ δὲ ἁμαρτωλῷ εἶπεν ὁ Θεός· ἵνα τί σὺ ἐκδιηγῇ τὰ δικαιώματά μου; μείζων γὰρ αὕτη ἡ βλάβη, ὅταν καλῶς διδάσκων τις διὰ ῥημάτων, διὰ τῶν ἔργων πολεμῇ τῇ διδασκαλίᾳ· τοῦτο πολλῶν αἴτιον γέγονε κακῶν ἐν ταῖς ἐκκλησίαις.

[34] Carm. Cygn. de Episcopis. (t. 2. p. 302 b.) Turpissimum erat, illorum me fidei cauponum in numero esse: quorum alii nepotes erant eorum, qui tributorum scribæ fuerant, et aliud nihil animo volvebant, quam falsas et subdolas rationum depravationes: alii ab aratris venerant, adusti a sole: alii a ligone, vel bidente totum diem non quiescente: alii remos exercitusque reliquerant, redolentes adhuc sentinam, vel corpus fœdatum cicatricibus habentes, populi gubernatores ac duces militum, &c.

[35] Ep. 2. [al. 52.] ad Nepotian. (t. 1. p. 258 e. seqq.) Pudet dicere, &c.—Consult cc. 6, 9, 11, and 15, particularly.

[illegible] the Life of [illegible] the Life of [illegible] Thaumaturgus [illegible] in all which the true character and idea of a Christian bishop is set forth and described with this advantage, that a man does not barely read of rules, but see them as it were exemplified in practice. The chief of these discourses in both kinds are already translated into our own language by other pens[b], and they are too prolix to be inserted into a discourse of this nature, which proceeds in a different method from them. I shall therefore only extract such observations from them as fall in with the public and general laws of the Church, of which I give an account in the following chapters, and leave the rest to the curious diligence of the inquisitive reader.

[b] See Bp. Burnet's Pastoral Care, ch. 4. pp. 57, &c. and pp. 66, &c.) and Seller's Remarks on the Lives of the Primitive Fathers, or Remarques relating to the State of the Church of the First Centuries, &c. London, 1680. 8vo.

CHAP. II.

Of laws relating to the life and conversation of the primitive clergy.

1. THE laws of the Church which concerned the clergy I shall for distinction's sake consider under three heads; speaking, first, Of such laws as concerned their life and conversation. Secondly, Of such as more particularly related to the exercise of the several offices and duties of their function. Thirdly, Of such as were a sort of out-guards or fences to both the former. The laws, which related to their life and conversation, were such as tended to create in them a sublimity of virtue above other men; forasmuch as they were to be examples and patterns to them, which if good would be both a light and a spur to others, but if bad the very pests and banes of the Church. It is Gregory Nazianzen's[37] reflection upon the different sorts of guides, which he had observed then in the Church;—'Some,' he complains, 'did, with unwashed hands and profane minds, press to handle the holy mysteries, and affect to be at the altar, before they were fit to be initiated to any sacred service. They looked upon the holy order and function, not as designed for an example of virtue, but only as a way of subsisting themselves; not as a trust, of which they were to give an account, but a state of absolute authority and exemption. And these men's examples corrupted the people's morals, faster than any cloth can imbibe a colour, or a plague infect the air; since men were more disposed to receive the tincture of vice than virtue from the example of their rulers.' In opposition to such he lays down this as the first thing to be aimed at by all spiritual physicians;—'that they should draw the picture of all manner of virtues in their own lives, and set themselves as examples to

Exempla purity re quired ir the clerg above ot men: re sons for

[37] Orat. 1. Apologet. de Fug. (t. 1. p. 5 a.) *Ἀνίπτοις χερσὶν, ὁ δὴ λέγεται, καὶ ἀμυήτοις ψυχαῖς, τοῖς ἀγιωτάτοις ἑαυτοὺς ἐπεισάγουσι, καὶ πρὶν ἄξιοι γενέσθαι προσιέναι τοῖς ἱεροῖς, μεταποιοῦνται τοῦ βήματος· θλίβονταί τε καὶ ὠθοῦνται περὶ τὴν ἁγίαν τράπεζαν, ὥσπερ οὐκ ἀρετῆς τύπον, ἀλλ' ἀφορμὴν βίου τὴν τάξιν ταύτην εἶναι νομίζοντες, οὐδὲ λειτουργίαν ὑπεύθυνον, ἀλλ' ἀρχὴν ἀνεξέταστον.* —Ibid. (p. 6 b.) *Οὐ γὰρ οὕτως οὔτε δεισοποιοῦ βαφῆς μεταλαμβάνει ῥᾳδίως ὕφασμα, οὔτε δυσωδίας ἡ τοῦ ἐναντίου τὸ πλησιάσαι, οὔτε νοσερά τις οὕτως εὐκόλως ἀναχεῖται εἰς τὸν ἀέρα, καὶ διὰ τοῦ ἀέρος ὁμιλεῖ τοῖς ζώοις ἀτμὶς, ὃ δὴ λοιμὸς ἔστι τε καὶ ὀνομάζεται, ὡς φιλεῖ τάχιστα τῆς τοῦ προεστῶτος κακίας ἀναπίμπλασθαι τὸ ὑπήκοον, καὶ πολλῷ γε ῥᾷον, ἡ τοῦ ἐναντίου, τῆς ἀρετῆς.*

the people; that it might not be proverbially said of them, that they set about curing others, while they themselves were full of sores and ulcers.' Nor were they to draw this image of virtue slightly and to a faint degree, but accurately and to the highest perfection; since nothing less than such degrees and measures of virtue was expected by God from the rulers and governors of his people: and then there would be hopes, that such heights and eminencies would draw the multitude at least to a mediocrity in virtue, and allure them to embrace that voluntarily by gentle persuasions, which they would not be brought to so effectually and lastingly by force and compulsion. He urges further[38] the necessity of such a purity from the consideration of the sacredness and majesty of the function itself. 'A minister's office sets him in the same rank and order with angels themselves; he celebrates God with archangels; transmits the Church's sacrifices to the altar in heaven, and performs the priest's office with Christ himself; he reforms the work of God's hands, and presents the image to his Maker; his workmanship is for the world above; and therefore he should be exalted to a divine and heavenly nature, whose business is to be as a god himself, and make others gods also.' St. Chrysostom[39] makes use of the same argument: 'that the priesthood, though it be exercised upon earth, is occupied wholly about heavenly things; that it is the ministry of angels put by the Holy Ghost into the hands of mortal men; and therefore a priest ought to be pure and holy, as being placed in heaven itself, in the midst of those heavenly powers.' He presses likewise[40] the danger and prevalency of a bad example:

[38] Ibid. (p. 31 b.) *Τίς ὁ πλάττων, καθάπερ αὐθήμερον τοὺς πηλίνους, τὸν τῆς ἀληθείας προστάτην, τὸν μετὰ ἀγγέλων στησόμενον, καὶ μετὰ ἀρχαγγέλων δοξάσοντα, καὶ ἐπὶ τὸ ἄνω θυσιαστήριον ἀναπέμψοντα τὰς θυσίας, καὶ Χριστῷ συνιερεύσοντα, τὸν ἀναπλάσοντα τὸ πλάσμα, καὶ παραστήσοντα τὴν εἰκόνα, καὶ τῷ ἄνω κόσμῳ δημιουργήσοντα, καὶ, τὸ μεῖζον εἰπεῖν, θεὸν ἐσόμενον καὶ θεοποιήσοντα.*

[39] De Sacerd. l. 3. c. 4. (t. 1. p. 382 b.) *Ἡ γὰρ ἱερωσύνη τελεῖται μὲν ἐπὶ τῆς γῆς, τάξιν δὲ ἐπουρανίων ἔχει πραγμάτων· καὶ μάλα γε εἰκότως· οὐ γὰρ ἄνθρωπος, οὐκ ἄγγελος, οὐκ ἀρχάγγελος, οὐκ ἄλλη τις κτιστὴ δύναμις· ἀλλ' αὐτὸς ὁ Παράκλητος ταύτην διετάξατο τὴν ἀκολουθίαν, καὶ ἔτι μένοντας ἐν σαρκὶ τὴν τῶν ἀγγέλων ἔπεισε φαντάζεσθαι διακονίαν. διὸ χρὴ τὸν ἱερωμένον, ὥσπερ ἐν αὐτοῖς ἑστῶτα τοῖς οὐρανοῖς μεταξὺ τῶν δυνάμεων ἐκείνων, οὕτως εἶναι καθαρόν.*

[40] Ibid. l. 3. c. 14. (p. 390 d.) *Πέφυκε γὰρ, ὡς τὰ πολλὰ, τὸ τῶν ἀρχομένων πλῆθος, ὥσπερ εἰς ἀρχέτυπόν τινα εἰκόνα, τοὺς τῶν ἀρχόντων τρόπους ὁρᾷν, καὶ πρὸς ἐκείνους ἐξομοιοῦν ἑαυτούς. πῶς οὖν ἄν τις τὰς ἐκείνων παύσειε φλεγμονὰς, οἰδαίνων αὐτός; τίς δ' ἂν ἐπιθυμήσειε ταχέως τῶν πολλῶν γενέσθαι*

'Subjects commonly form their manners by the pattern of their princes. How then should a proud man be able to assuage the swelling tumours of others? or an angry ruler hope to make his people in love with moderation and meekness? Bishops are exposed, like combatants in the theatre, to the view and observation of all men; and their faults, though never so small, cannot be hid; and therefore, as their virtuous actions profit many by provoking them to the like zeal, so their vices will render others unfit to attempt or prosecute any thing that is noble and good. For which reason their souls ought to shine all over with the purest brightness, that they may both enlighten and exstimulate the souls of others, who have their eyes upon them. A priest should arm himself all over with purity of life, as with adamantine armour; for if he leave any part naked and unguarded, he is surrounded both with open enemies and pretended friends, who will be ready to wound and supplant him. So long as his life is all of a piece, he needs not fear their assaults; but if he be overseen in a fault, though but a small one, it will be laid hold of and improved to the prejudice of all his former virtues. For all men are most severe judges in his case, and treat him not with any allowance for being encompassed with flesh, or as having an human nature; but expect he should be an angel, and free from all infirmities.' 'He cannot, indeed,' as the same Father argues in another place[41], 'with any tolerable decency and

μέτριος, τὸν ἄρχοντα ὀργίλον ὁρῶν; οὐ γάρ ἐστιν οὐκ ἔστι δυνατὸν, τὰ τῶν ἱερέων κρύπτεσθαι ἐλαττώματα· ἀλλὰ καὶ τὰ μικρὰ ταχέως κατάδηλα γίνεται·.... ὥσπερ οὖν αὐτῶν τὰ κατορθώματα πολλοὺς ὤνησε, πρὸς τὸν ἴσον παρακαλοῦντα ζῆλον· οὕτω καὶ τὰ πλημμελήματα ῥᾳθυμοτέρους κατέστησε περὶ τὴν τῆς ἀρετῆς ἐργασίαν· καὶ βλακεύειν πρὸς τοὺς ὑπὲρ τῶν σπουδαίων παρασκεύασε πόνους. διὸ χρὴ πάντοθεν αὐτοῦ τοῦ κάλλους ἀποστίλβειν τῆς ψυχῆς· ἵνα καὶ εὐφραίνειν ἅμα καὶ φωτίζειν δύνηται τὰς τῶν ὁρώντων ψυχάς..... δεῖ τὸν ἱερέα καθάπερ τισὶν ἀδαμαντίνοις ὅπλοις πεφράχθαι πάντοθεν· τῇ τε συντόνῳ σπουδῇ, καὶ τῇ διηνεκεῖ περὶ τὸν βίον νήψει, πάντοθεν περισκοποῦντα, μή που τις γυμνὸν εὑρὼν τόπον καὶ παρημελημένον, πλήξῃ καιρίαν πληγήν· πάντες γὰρ περιεστήκασι, τρῶσαι ἕτοιμοι καὶ καταβαλεῖν, οὐ τῶν ἐχθρῶν μόνον καὶ πολεμίων, ἀλλὰ καὶ αὐτῶν πολλοὶ τῶν προσποιουμένων φιλίαν. ....ἕως μὲν γὰρ ἂν πανταχόθεν ἡρμοσμένος ᾖ καλῶς ὁ τοῦ ἱερέως βίος, ἀνάλωτος γίνεται ταῖς ἐπιβουλαῖς· ἂν δὲ τύχῃ μικρόν τι παριδὼν, ... οὐδὲν αὐτῷ τῶν λοιπῶν κατορθωμάτων ὄφελος, πρὸς τὸ δυνηθῆναι τὰ τῶν κατηγόρων στόματα διαφυγεῖν· ἀλλ' ἐπισκιάζει παντὶ τῷ λοιπῷ τὸ μικρὸν ἐκεῖνο παράπτωμα· καὶ οὐχ ὡς σάρκα περικειμένῳ, οὐδὲ ἀνθρωπείαν λαχόντι φύσιν· ἀλλ' ὡς ἀγγέλῳ, καὶ τῆς λοιπῆς ἀσθενείας ἀπηλλαγμένῳ, κ. τ. λ.

[41] Ibid. l. 5. c. 3. (p. 416 c.) *Καὶ γὰρ ὅτ' ἂν αὐτὸς ἀνεπίληπτος ἅπασι γένηται, τότε δυνήσεται μεθ' ὅσης*

freedom discharge his office in punishing and reproving othe unless he himself be blameless and without rebuke.' 'T priest's office is a more difficult province[42] than that of leadi an army, or governing a kingdom, and requires an angeli virtue. His soul ought to be purer than the rays of the su that the Holy Spirit may never leave him desolate; but th he may be always able to say, "I live, yet not I, but Chri that liveth in me."' He there[43] goes on to draw the compa son at large between the clerical and the monastic life, a shews how much more difficult it is to take care of a multitu of men immersed in secular business, than of a single pers that lives retired and free from temptation. And upon t whole matter he concludes[44], 'that as God requires great purity in those that serve at his altar, so he will exact a mo ample account of them, and more severely punish their offences.' By these and many other such like arguments d those holy fathers try to raise both in themselves and others just sense of that universal purity, which becomes the sacr function.

Church-censures more severe against them than any others.

2. And to the strength of these arguments the Church add the authority of her sanctions, inflicting severer penalties up offending clergymen than any others. For whereas all oth offenders were allowed by the benefit of public penance regain the privileges of their order, this favour was co monly denied by the Church to such of her sons among t clergy as were notorious for any scandalous crimes, where they became a reproach to their profession. For such deli quents were usually deposed from their office, and sometim excommunicated also, and obliged to do penance among t laymen; but with this difference, that though repentan would restore them to the peace of the Church, yet it wou not qualify them to act in their office and station again; b

βούλεται ἐξουσίας, καὶ κολάζειν, καὶ ἀνιέναι τοὺς ὑπ' αὐτῷ ταττομένους ἅπαντας.

[42] Ibid. l. 6. c. 1. sub fin. (p. 422 a.) *Οὐ γὰρ ὑπὲρ στρατηγίας, οὐδὲ ὑπὲρ βασιλείας ἡμῖν ὁ λόγος, ἀλλ' ὑπὲρ πράγματος ἀγγελικῆς ἀρετῆς δεομένου· καὶ γὰρ τῶν ἀκτίνων αὐτῶν καθαρωτέραν τῷ ἱερεῖ τὴν ψυχὴν εἶναι δεῖ· ἵνα μηδέ ποτε* [al. *μήποτε*] *ἔρημον αὐτὸν καταλιμπάνῃ τὸ Πνεῦμα ἅγιον, κ. τ. λ.*

[43] Ibid. 3. tot. (pp. 422, 42 *Καὶ πολλοὶ τὰ πρότερα ἐκφυγόντ κ. τ. λ.*

[44] Ibid. cc. 10, 11. (p. 430 c.) .... *Μετὰ δὲ τὸ δέξασθαι τ ἀρχὴν, οὐ διπλῆν μόνον καὶ τριπλ* [scil. *τιμὴν*] *ἀλλὰ καὶ πολλαπλασίο κ. τ. λ.*

they must be content thenceforth to communicate only as laymen. Some canons indeed did not oblige them to do public penance in the Church, because they thought it punishment enough to degrade them; others required them to submit to that part of discipline also. But still the result and consequence of both was the same, that such persons for ever after were only to be treated in the quality of laymen. Those called the Apostolical Canons are sometimes for the former way; for one[45] of them says, 'If a bishop, presbyter, or deacon is taken in fornication, perjury, or theft, he shall be deposed, but not excommunicated; for the Scripture saith, "Thou shalt not punish twice for the same crime."' I do not now stand to inquire, whether there be any such Scripture as these canons refer to, but only observe what was the practice of the Greek Church when these canons were made; which is also taken notice of in St. Basil's Canons[46], and those of Peter of Alexandria[47], and some others, which shew it to have been the customary practice of their Churches. Yet for simony[48] and some other crimes[49], the same Apostolical Canons order both

[45] C. 25. al. 24. (Cotel. [c. 18.] v. 1. p. 440.) Ἐπίσκοπος, ἢ πρεσβύτερος, ἢ διάκονος, ὁ [ἐπὶ] πορνείᾳ, ἢ ἐπιορκίᾳ, ἢ κλοπῇ ἁλούς, καθαιρείσθω, καὶ μὴ ἀφοριζέσθω· λέγει γὰρ ἡ γραφή, Οὐκ ἐκδικήσεις δὶς ἐπὶ τὸ αὐτό.

[46] Ep. Canon. c. 3. (CC. t. 2. p. 1720 e.) Διάκονος, μετὰ τὴν διακονίαν πορνεύσας, ἀπόβλητος μὲν τῆς διακονίας ἔσται· εἰς δὲ τὸν τῶν λαϊκῶν ἀπωσθεὶς τόπον, τῆς κοινωνίας οὐκ εἰρχθήσεται.—Ibid. c. 32. (p. 1740 e.) Οἱ τὴν πρὸς θάνατον ἁμαρτίαν ἁμαρτάνοντες κληρικοὶ τοῦ βαθμοῦ μὲν κατάγονται, τῆς κοινωνίας δὲ τῶν λαϊκῶν οὐκ ἐξείργονται· οὐ γὰρ ἐκδικήσεις δὶς ἐπὶ τὸ αὐτό.—Ibid. c. 51. (p. 1745 e.) Τὸ κατὰ κληρικοὺς ἀδιαφορίστως οἱ κανόνες ἐξέθεντο, κελεύσαντες μίαν ἐπὶ τοῖς παραπεσοῦσι ὁρίζεσθαι τιμωρίαν, τὴν ἔκπτωσιν τῆς ὑπηρεσίας, εἴτε ἐν βαθμῷ τυγχάνοιεν, εἴτε καὶ ἀχειροτονήτῳ ὑπηρεσίᾳ προσκαρτεροῖεν.

[47] C. 10. ap. Bevereg. Pandect. t. 3. part. 1. p. 15 e. (CC. t. 1. p. 961 c.) .... Οὐκ ἔστιν εὔλογον οὐδὲ τοὺς ἀπὸ κλήρου αὐτομολήσαντας ἐκπεπτωκότας τε καὶ ἀναπαλαίσαντας, ἔτι ἐν τῇ λειτουργίᾳ εἶναι, κ. τ. λ.—Ibid. (p. 964 a.) Ἀρκεῖ γὰρ αὐτοῖς ἡ κοινωνία μετ' ἐπιστάσεως καὶ ἀκριβείας πρὸς ἀμφότερον γινομένης, καὶ ἵνα μὴ δόξωσι λυπεῖσθαι μετὰ βίας περιδρασσόμενοι τῆς ἐντεῦθεν ἀναλύσεως, καὶ ἵνα μή τινες ἐκπεσόντες, προσφατίζωνται ὡς διὰ τὴν ἀφορμὴν τῆς ἐπιτιμίας ὑπεκλελυμένοι.

[48] C. 29. al. 28. (Cotel. [c. 22.] v. 1. p. 441.) Εἴ τις ἐπίσκοπος διὰ χρημάτων τῆς ἀξίας ταύτης ἐγκρατὴς γένηται, ἢ πρεσβύτερος, ἢ διάκονος, καθαιρείσθω καὶ αὐτὸς, καὶ ὁ χειροτονήσας, καὶ ἐκκοπτέσθω παντάπασιν τῆς κοινωνίας, ὡς Σίμων ὁ μάγος ἀπὸ ἐμοῦ Πέτρου.

[49] C. 30. al. 29. (Cotel. [c. 23.] ibid.) Εἴ τις ἐπίσκοπος κοσμικοῖς ἄρχουσι χρησάμενος, δι' αὐτῶν ἐγκρατὴς γένηται ἐκκλησίας, καθαιρείσθω καὶ ἀφοριζέσθω, καὶ οἱ κοινωνοῦντες αὐτῷ πάντες.—C. 51. al. 50. (Cotel. [c. 53.] ibid. p. 445.) Εἴ τις ἐπίσκοπος, ἢ πρεσβύτερος, ἢ διάκονος, ἢ ὅλως τοῦ καταλόγου τοῦ ἱερατικοῦ, γάμου [al. γάμων,] καὶ κρεῶν, καὶ οἴνου, οὐ δι' ἄσκησιν ἀλλὰ διὰ βδελυρίαν, ἀπέχεται, ἐπιλανθανόμενος [al. ἐπιλαθόμενος]

deposition and excommunication. And also for one and same crime, in the time of Cyprian, as appears from Epistle to Cornelius[50], where, speaking of Novatus who was guilty of murder in causing his own wife by a blow to m carry, he says, 'for this crime he was not only to be degrad or expelled the presbytery, but to be deprived of the co munion of the Church also.' From whence we may collect t severity of the ancient canons against such crimes of the cler in general, as were committed to the flagrant scandal of t Church.

What crimes punished with degradation: viz. theft, murder, perjury, &c.

3. Hence also we may observe in particular, what sort crimes were thought worthy to be punished with degradati namely, such as theft, murder, perjury, fraud, sacrilege, for cation, and adultery, and such like gross and scandalous fences. For in this case they distinguished between *peccat* and *crimen, little faults* and *crimes of a more heinous natu* For St. Austin[51] observes: 'It was not all manner of failin that hindered men's ordination at first; for if the Apostle h required, as a qualification in persons to be ordained, that th should be without sin, all men must have been rejected, a none ordained, since no man lives without sin; but he only quires that they should be blameless in respect to criminal a scandalous offences.' And this was the rule the Church o served in canvassing the lives of her clergy after ordinati when they were actually engaged in her service. It was n every lesser failing or infirmity that was punished with d gradation; but only crimes of a deeper dye, such as th murder, fraud, perjury, sacrilege, fornication and adulte Concerning the last of which there are these two things furth observable in some of the ancient canons. First, that if a

ὅτι παντὰ καλὰ λίαν, καὶ ὅτι ἄρσεν καὶ θῆλυ ἐποίησεν ὁ θεὸς τὸν ἄνθρωπον, ἀλλὰ βλασφημῶν διαβάλλει τὴν δημιουργίαν, ἢ διορθούσθω, ἢ καθαιρείσθω, καὶ τῆς ἐκκλησίας ἀποβαλλέσθω· ὡσαύτως καὶ λαϊκός.

[50] Ep. 49. [al. 52.) p. 97. (pp. 238, 239.) Propter hoc se non de presbyterio excitari tantum, sed et communicatione prohiberi, pro certo tenebat, &c.

[51] Tract. 41. in Joan. t. 9. p. 126. (t. 3. part. 2. p. 575 a.) .... Ide Apostolus Paulus, quando elegit dinandos vel presbyteros vel conos, et quicunque ordinandus ad præposituram ecclesiæ, non *Si quis sine peccato est;* hoc e si diceret, omnis homo reprobaret nullus ordinaretur; sed ait, *Si q sine crimine est*, sicut est hom dium, adulterium, aliqua immun tia fornicationis, furtum, fraus, crilegium, et cætera hujusmodi.

clergyman's wife was convicted of adultery, he himself was obliged to shew his resentment and detestation of the fact by putting her away, under pain of deposition if he continued to live with her. For so the Council of Neo-Cæsarea[52] words it; 'A man, whose wife is evidently convicted of adultery while he is a layman, shall not be ordained; but if she commit adultery after his ordination, he ought to put her away; and, if he cohabit with her, he may not retain her and his ministry together.' The Council of Eliberis[53] is still more severe in this case, denying communion to such persons even at their last hour, who retained wives guilty of adultery;—'because,' says the canon, 'they, who ought to be examples of good conversation to others, do by this means teach others the way to sin.' Secondly, the other thing to be observed is, that if a bishop neglected to inflict the censures of the Church upon any of his clergy, who were guilty of fornication, he made himself liable to be deposed. As Socrates[54] observes, the Arians themselves deposed Macedonius, bishop of Constantinople, for this reason among others, 'that he had admitted a deacon to communion who had been taken in fornication.'

4. Another crime, which brought many clerks under this kind of ecclesiastical censure, was that of *lapsing in time of persecution.* In which case repentance was allowed to restore them to the peace of the Church as laymen if they pleased, but not to officiate or communicate as ecclesiastics any longer. Thus Trophimus was treated in the time of Cornelius and Cyprian[55]; he was admitted to communicate as a layman, but not to retain his office of priesthood. And this Cyprian[56] says

Also lapsing in time of persecution.

[52] C. 8. (t. 1. p. 1481 d.) Γυνή τινος μοιχευθεῖσα λαϊκοῦ ὄντος, ἐὰν ἐλεγχθῇ φανερῶς, ὁ τοιοῦτος εἰς ὑπηρεσίαν ἐλθεῖν οὐ δύναται· Ἐὰν δὲ καὶ μετὰ τὴν χειροτονίαν μοιχευθῇ, ὀφείλει ἀπολῦσαι αὐτήν· ἐὰν δὲ συζῇ, οὐ δύναται ἔχεσθαι τῆς ἐγχειρισθείσης αὐτῷ ὑπηρεσίας.

[53] C. 65. (ibid. p. 977 d.) Si cujus clerici uxor fuerit mœchata, et sciat eam maritus suus mœchari, et eam non statim projecerit, nec in fine accipiat communionem: ne ab his qui exemplum bonæ conversationis esse debent, [ab eis] videantur scelerum magisteria procedere.

[54] L. 2. c. 42. (v. 2. p. 158. 3.) Καθαιροῦσι πρῶτον μὲν Μακεδόνιον, καὶ ὡς αἴτιον πολλῶν φόνων γενόμενον, καὶ ὅτι διάκονον ἐπὶ πορνείᾳ ἁλόντα ἐδέξατο εἰς κοινωνίαν.

[55] Ep. 52. [al. 55.] ad Antonian. p. 106. (p. 244.) Sic tamen admissus est Trophimus, ut laicus communicet.... non quasi locum sacerdotis usurpet.

[56] Ep. 68. [al. 67.] ad Pleb. Hispan. p. 174. (p. 290.)..... Frustra tales episcopatum sibi usurpare conantur, cum manifestum sit, ejusmodi homines nec ecclesiæ Christi posse præesse, nec Deo sacrificia

was then the rule at Rome and over all the world, if bishops any other lapsed in time of persecution, 'to admit them to penance in the Church, but withal to remove them from function of the clergy and honour of the priesthood.' As African Synod, in whose name he writes to the Span Churches, determined in the case of Basilides and Martial, t Spanish bishops, who, when they had lapsed, thought to q lify themselves by repentance to retain their bishoprics; ' this,' he tells them, 'was contrary to the rule and practice the Universal Church.' He repeats this in several other E stles[57], where he has occasion to speak of persons in the sa unhappy circumstances with them. We find the same order the Canons of Peter[58], bishop of Alexandria, and the fi Council of Arles[59], where not only such as fell by sacrificing open denial of their faith, but also all traditors are included the number of lapsers, that is, all such as either gave up th Bibles, or the holy vessels of the Church, or the names of th brethren to the persecutors; and all such, who were of clergy, are for ever excluded from the exercise and benefit their order and function. Such was the discipline of ancient Church in reference to those guides, who set th people an ill example by their apostasy in time of persecutic it was not thought fit to trust them to be guides and lead for the future. Though I do not deny, but that some ceptions may be found to this general rule, either when

offerre debere. Maxime cum jam pridem nobiscum et cum omnibus episcopis in toto mundo constitutis, etiam Cornelius collega noster, sacerdos pacificus et justus, et martyrii quoque dignatione Domini honoratus, decreverit, ejusmodi homines ad pœnitentiam quidem agendam posse admitti; ab ordinatione autem cleri atque sacerdotali honore prohiberi.

[57] Ep. 55. [al. 59.] ad Cornel. p. 133. (p. 264.) Hi quinque cum paucis vel sacrificatis, vel male sibi consciis, Fortunatum sibi pseudoëpiscopum cooptarunt, ut criminibus in unum convenientibus talis scilicet esse rector, quales illi qui reguntur. —Ep. 64. [al. 65.] ad Epictet. (p. 282.) Graviter et dolenter motus sum, ... quod cognoverim, Fortunatum qu dam [al. Fortunatianum quond apud vos episcopum, post gra lapsum ruinæ suæ, pro integro n agere velle, et episcopatum sibi dicare cœpisse; quæ res contri vit me, &c.

[58] Ep. Canon. c. 10. ap. Beve Pandect. t. 2. part. 1. p. 15 f. (t. 1. p. 961 e.) Ὅτε δὲ ἔπταισαν ἂν περιπερευσάμενοι καὶ ἑαυτοὺς μησάμενοι, οὐκ ἔτι δύνανται λειτο γεῖν.

[59] C. 13. (t. 1. p. 1428 d.) De qui Scripturas Sanctas tradidisse cuntur, vel vasa dominica, vel mina fratrum suorum, placuit no ut quicunque eorum ex actis pu cis fuerit detectus, non verbis nu ab ordine cleri amoveatur.

discipline of the Church was not so strict, or when it was otherwise found more for the benefit of the Church to restore lapsers to their honours, than to degrade and remove them wholly from them. For I have noted before, that both lapsers and heretics and schismatics were sometimes more favourably treated, when the Church thought she might find her account in shewing favour to them.

And drinking and gaming.

5. But to proceed with the laws of the Church relating to other misdemeanours. As the life of a clergyman was a continual attendance upon the altar, and constantly to be employed in the exercise of divine and heavenly things; so upon that account *the utmost sobriety* was required of him, together with a strict care to spend his time aright, and lay it out usefully; so as might best answer the ends of his calling, and those spiritual employments he was daily to be engaged in. And for this reason drinking and gaming, those two great consumers of time, and enemies of all noble undertakings and generous services, were strictly prohibited the clergy under the same penalty of deprivation. For so the Apostolical Canons word it[60]: 'A bishop, presbyter, or deacon, that spends time in drinking or playing at dice, shall either reform or be deposed.' Where we may observe this difference between this and the former laws, that it does not make every single act of these crimes *ipso facto* deprivation, but only continuance therein without reforming. And by Justinian's law[61] the penalty for playing at tables is changed from deprivation to a triennial suspension, and intrusion into a monastery for the performance of repentance. Some perhaps will wonder at the severity of these laws in prohibiting the exercise of tables under such a penalty; but their wonder will cease, when they are told, that it was equally prohibited to the laity under pain of excommunication. For the Council of Eliberis[62] orders, 'that a Christian playing at

[60] C. 42. [al. 41.] (Cotel. [c. 35.] v. 1. p. 443.) Ἐπίσκοπος, ἢ πρεσβύτερος, ἢ διάκονος, κύβοις σχολάζων καὶ μέθαις, ἢ παυσάσθω ἢ καθαιρείσθω.

[61] Novel. 123. c. 10. (t. 5. p. 545.) Interdicimus autem sanctissimis episcopis, presbyteris, et diaconis, ... ad tabulas ludere, aut aliis ludentibus participes aut inspectatores fieri ... Si quis autem ex his hoc deliquerit, jubemus hunc in tribus annis a venerabili ministerio prohiberi et in monasterium redigi.

[62] C. 79 (t. 1. p. 979 a.) Si quis fidelis alea, id est, tabula luserit [nummos,] placuit eum abstinere: et si emendatus cessaverit, poterit post annum communione reconciliari.

dice or tables shall not be admitted to the holy co
but after a year's penance and abstinence, and his tot
ment.' And there was good reason for the Church
such a law in those times, because this kind of ga
prohibited both by the old and new Civil Law[63] a
Romans, and many other nations, of which the re
find a particular account in our learned bishop Taylo
ther with the reasons of the prohibition, viz.—the
commonly attended this sort of play, blasphemies, and
and passion, and lying, and cursing, and covetous
fraud, and quarrels, and intemperance of all sorts,
sumption of time, and ruin of many families; which
had made it infamous and scandalous among all nat
that, what was so universally prohibited at that tim
laws of all nations, the Church could not but in dec
hibit by her own laws to the laity, and more especia
clergy, to prevent scandal, and obviate those objectio
might otherwise have justly been raised against her.
the thing was simply unlawful in itself, when used o
innocent recreation; but the many evil appendages,
monly attended the use of it, had made it scandalous,
sequently inexpedient; and the spending of time up
much alter the nature of it, and make it so much
unlawful.

And negotiating upon usury. The nature of

6. Another crime, for which a clergyman was lia
deposed, was *the taking of usury*, which by the ancie
is frequently condemned as a species of covetousness

[63] Digest. l. 2. tit. 5. leg. 1. (t. 1. p. 1175.) Prætor ait: Si quis eum, apud quem alea lusum esse dicetur, verberaverit, damnumve ei dederit, sive quid eo tempore dolo ejus [al. domo ejus] subtractum fuerit, judicium non dabo, &c. — Ibid. leg. 2. n. 1. (p. 1176.) Senatusconsultum vetuit in pecuniam ludere, &c.—Conf. Cod. Justin. l. 3. tit. 43. de Aleatoribus, leg. 3. (t. 4. p. 759.) Alearum usus antiqua res est, et extra operas pugnatorias [concessa;] verum pro tempore abiit in lacrimas, multa millia extraneorum nationum suscipiens. Quidam enim [nec] ludentes, nec ludum scientes, sed numeratio proprias substantias p die noctuque ludendo, a paratu lapidum, et aur quenter autem ex hac in blasphemare [Deum] c instrumenta conficiunt. igitur subjectorum prosp generali lege decernimu liceat in publicis vel pri bus vel locis ludere, ne nere, neque in specie, &c

[64] Duct. Dubitant. b. 776. (rule 2. sect. 27, an Works, v. 14. pp. 326, question, Whether it b play at cards or dice.

elty, and upon that score so strictly prohibited to the clergy, who were rather to study to excel in the practice of the contrary virtues, charity, mercifulness, and contempt of the world and all filthy lucre. The laws condemning this vice are too many to be here transcribed: it will be sufficient to repeat the canon of the Council of Nice[65], which contains the sum, and speaks the sense of all the rest. Now the words of that canon are these: "Forasmuch as many clerks, following covetousness and filthy lucre, and forgetting the Holy Scriptures, which speak of the righteous man "as one that hath not given his money upon usury," have let forth their money upon usury, and taken the usual monthly increase; it seemed good to this great and holy synod, that if any one after this decree shall be found to take usury, or demand the principal with half the increase of the whole, or shall invent any other such methods for filthy lucre's sake, he shall be degraded from his order, and have his name struck out of the roll of the Church.' The reader will find the same practice censured by those called the Apostolical Canons[66], the Council of Eliberis[67], the first and second of Arles[68], the first and third of Carthage[69], the Councils of Laodicea[70] and Trullo[71], not to mention private

this crime inquired into.

[65] C. 17. (t. 2. p. 37 a.) *Ἐπειδὴ πολλοὶ, ἐν τῷ κανόνι ἐξεταζόμενοι, τὴν πλεονεξίαν καὶ τὴν αἰσχροκέρδειαν διώκοντες, ἐπελάθοντο τοῦ θείου γράμματος λέγοντος, Τὸ ἀργύριον αὐτοῦ οὐκ ἔδωκεν ἐπὶ τόκῳ· καὶ δανείζοντες ἑκατοστὰς ἀπαιτοῦσιν· ἐδικαίωσεν ἡ ἁγία καὶ μεγάλη σύνοδος, ὡς εἴ τις εὑρεθείη μετὰ τὸν ὅρον τοῦτον τόκους λαμβάνων ἐκ μεταχειρίσεως, ἢ ἄλλως μετερχόμενος τὸ πρᾶγμα, ἢ ἡμιολίας ἀπαιτῶν, ἢ ὅλως ἕτερόν τι ἐπινοῶν αἰσχροῦ κέρδους ἕνεκα, καθαιρεθήσεται τοῦ κλήρου, καὶ ἀλλότριος τοῦ κανόνος ἔσται.*

[66] C. 44. [al. 43.] (Cotel. [c. 36.] v. 1. p. 444.) *Ἐπίσκοπος, ἢ πρεσβύτερος, ἢ διάκονος, τόκους ἀπαιτῶν τοὺς δανειζομένους, ἢ πανσάσθω, ἢ καθαιρείσθω.*

[67] C. 20. (t. 1. p. 973 a.) Si quis clericorum detectus fuerit usuras accipere, placuit eum degradari, et abstineri.

[68] Arelat. 1. c. 12. (ibid. p. 1428 c.) De ministris, qui fœnerant, placuit eos juxta formam divinitus datam a communione abstineri.—Arelat. 2. c. 14. (t. 4. p. 1013 a.) Si quis clericus pecuniam dederit ad usuram, aut conductor alienæ rei voluerit esse, aut turpis lucri gratia aliquod negotiationis exercuerit, depositus a communione alienus fiat.

[69] Carth. 1. c. 13. (t. 2. p. 717 e.) Abundantius episcopus Adrumetinus dixit: In nostro concilio statutum est, ut non liceat clericis fœnerare.—Carth. 3. c. 16. (ibid. p. 1169 e.) Ut nullus clericorum amplius recipiat, quam cuiquam accommodaverit: si pecuniam accipiat, speciem eamdem, quantam dederit, accipiat: et quidquid aliud, tantum, quantum dederit, accipiat.

[70] C. 4. (t. 1. p. 1496 d.) *Περὶ τοῦ, μὴ δεῖν ἱερατικοὺς δανείζειν, καὶ τόκους, καὶ τὰς λεγομένας ἡμιολίας λαμβάνειν.*

[71] C. 10. (t. 6. p. 1146 e.) *Ἐπίσκοπος, ἢ πρεσβύτερος, ἢ διάκονος, τόκους ἢ τὰς λεγομένας ἑκατοστὰς λαμβάνων, ἢ πανσάσθω, ἢ καθαιρείσθω.*

writers, Cyprian[72], Sidonius Apollinaris[73], St. Jerom[74], and many others. Nor need this seem strange to any one, that usury should be so generally condemned in the clergy, since it is apparent, that the practice of it was no less disallowed in the laity; for the first Council of Carthage[75] condemns it in them both, but only makes it a more aggravating crime in the clergy. The Council of Eliberis also[76], that orders clergymen to be degraded for it, makes it an high misdemeanour in laymen; which, if they persisted in the practice of it after admonition, was to be punished with excommunication. We are here, therefore, in the next place to inquire into the nature of this practice, and the grounds and reasons upon which it was so generally condemned both in clergymen and laymen.

As to the nature of the thing, we are to observe, that among the ancient Romans there were several sorts or degrees of usury. First, the most common was that which they called *centesimæ;* the Council of Nice[77] calls it ἑκατοστάι; and the Council of Trullo[78] uses the same word, which signifies *the hundredth part* of the principal paid every month, and answers to twelve in the hundred by the year. For the Romans received usury by the month, that is, at the kalends or first day of every month. Whence St. Basil[79] calls the months 'the parents of

[72] De Lapsis, p. 124. See ch. 1. s. 3. p. 195, latter part of n. 31.

[73] L. 1. Ep. 8. (p. 59.) In qua palude indesinenter rerum omnium lege perversa, muri cadunt, aquæ stant: turres fluunt, naves sedent: ægri deambulant, medici jacent: algent balnea, domicilia conflagrant: sitiunt vivi, natant sepulti: vigilant fures, dormiunt potestates: fœnerantur clerici, Syri psallunt: negotiatores militant, milites negotiantur, &c.

[74] In Ezek. 18, 17. (t. 5. p. 210 a.) In Hebraico cunctarum specierum censura prohibetur: in LXX tantum pecunia. Juxta quod et in 14 Psalmo scriptum est: *Qui pecuniam suam non dedit ad usuram.* Et quomodo dicitur: *Fratri tuo non fœnerabis, alieno autem fœnerabis.* Sed vide profectum. In principio Legis a fratribus tantum fœnus tollitur: in Prophetis ab omnibus usura prohibetur, dicente Ezechiele: *Pecuniam suam non dedit in usuram.* Porro in Evangelio virtutis argumentum est præcipiente Domino: *Fœneramini his, a quibus non speratis recipere.*

[75] C. 13. (t. 1. p. 718 a.) Quod in laicis reprehenditur, id multo magis in clericis oportet prædamnari.

[76] C. 20. (ibid. p. 973 a.) Si quis etiam laicus accepisse probatur usuras .... si in ea iniquitate duraverit, ab ecclesia sciat se esse projiciendum. —Vid. Chrysost. Hom. 56. in Matth. (t. 7. pp. 573 c. seqq.) Διὰ γὰρ τοῦτο χρήματα ἔχεις, κ. τ. λ.

[77] C. 17. See n. 65, preceding.

[78] C. 10. See n. 71, preceding.—Chrysost. Hom. 56. in Matth. (t. 7. p. 573 d.) Οὗτος μόλις ἑκατοστὴν ἀποδίδωσιν.—[Conf. Hom. 5. [Ed. Savil. 2. Bened. 7.] de Pœnitent. t. 1. p. 686. (t. 2. p. 337 d.) Ἐπειδὴ εἶδεν [οἶδεν ap. Savil.] ἡμῶν τὴν πλεονεξίαν, κ. τ. λ. Ed.]

[79] In Ps. 14. t. 3. p. 137. (t. 1.

usury.' And St. Ambrose[80] says, 'the Greeks gave usury the name of τόκος upon this account, because the kalends *bring forth* one in the hundred, and every month *begets* new usury.' And hence, as the poet[81] acquaints us, it became a proverb among the Romans to say, 'a man trembles like a debtor when the kalends are coming;' because that was the time of paying interest. Now this sort of usury is generally proscribed by the laws of the Church, because it was esteemed great oppression. Though the civil law allowed the practice of it; for Constantine, anno 325, the same year that the Council of Nice was held, published a law[82], stating the rules and measures of usury, wherein the creditor is allowed to take this centesimal usury, or one in the hundred every month, and no more. For it seems the old Roman laws granted a greater liberty before this regulation of Constantine. Afterward a new regulation was made, and it was only allowed in some certain cases; as where the creditor seemed to run some hazard, as appears from the laws of Justinian[83], where he settles the business of interest and usury in his Code. For in trajectitious contracts, as the law terms them, that is, when a creditor lent money,—suppose at Rome, to receive interest for it only upon condition of the debtor's safe arrival with it at Constantinople;—because in that case the creditor ran a great hazard, he was allowed to receive a centesimal interest upon that account. Secondly, another sort of usury was that which the canons call ἡμιολίαι, or *sescuplum, the whole and half as much more.* St. Jerom[84]

part. 1. p. 154 e. 2.).... Φοβεῖται τοὺς μῆνας ὡς τόκων πατέρας.

[80] De Tobia, c. 12. (t. 1. p. 604 f. n. 42.) Τόκους Græci appellaverunt usuras, eo quod dolores partus animæ debitoris excitare videantur. Veniunt kalendæ, parit sors centesimam. Veniunt menses singuli, generantur usuræ.

[81] Horat. Serm. l. 1. Sat. 3. vv. 86—88. (Edit. Gesn. et Zeun.)

Odisti et fugis, ut Rusonem debitor æris?
Qui, nisi, cum tristes misero venere calendæ,
Mercedem aut nummos unde unde extricat....

[82] Cod. Theod. l. 2. tit. 33. de Usur. leg. 1. (t. 1. p. 230.).... Pro pecunia ultra singulas centesimas creditor vetatur accipere.

[83] Cod. Justin. l. 4. tit. 32. de Usur. leg. 26. (t. 4. p. 966.) In trajectitiis autem contractibus, vel specierum fœnori dationibus, usque ad centesimam tantummodo licere stipulari, nec eam excedere, licet veteribus legibus hoc erat concessum.

[84] In Ezek. 18. p. 537. (t. 5. p. 201 c.) Solent in agris frumenti et milii, vini et olei, cæterarumque specierum usuræ exigi; ....verbi gratia, ut hyemis tempore demus decem modios, et in messe recipiamus quindecim, hoc est, amplius partem mediam.

takes notice of this kind of usury, and condemns it. 'For men,' he says, 'were used to exact usury for the loan of corn, wine, oil, millet, and other fruits of the ground; lending ten bushels in winter, on condition to receive fifteen in harvest, that is, the whole and half as much more. Which sort of usury, being a very grievous extortion and great oppression, is condemned, not only in the clergy by the Councils of Nice[85] and Laodicea[86], under the name of ἡμιολίαι, but also in laymen by the law of Justinian[87], which allows nothing above centesimal interest to be taken by any person in any case whatsoever: though Justinian intimates, that formerly the laws allowed it: and it is evident from the law of Constantine, still extant in the Theodosian Code[88], which determined, 'that if any creditor lent to the indigent any fruits of the earth, whether wet or dry, he might demand again the principal, and half as much more by way of usury; as if he lent two bushels, he might require three.' Thirdly, another sort of usury is called by the Civil Law *bessis centesimæ*, which is *two-thirds of centesimal interest*, and the same as eight in the hundred. And this the law[89] allowed masters of workhouses and other tradesmen to take in their negotiations with others. Fourthly, all other persons were only allowed to receive half the centesimal interest by the same law of Justinian[90], which is the same as six in the hundred[91]. Fifthly, persons of quality were bound to take no more but a third part of the *centesima*[92], which is only four in the hundred. Sixthly, interest upon interest was absolutely forbidden by the Roman laws[93] to all persons in any

[85] C. 17. See n. 65, preceding.

[86] C. 4. See n. 70, preceding.

[87] Ubi supr. See n. 83, preceding. Conf. Novell. 32, 33, 34. (t. 5. pp. 235, seqq.)

[88] L. 2. tit. 33. De Usur. leg. 1. (t. 1. p. 230.) Quicunque fruges, aridas vel humidas, indigentibus mutuas dederint, usuræ nomine tertiam partem superfluam consequantur: id est, ut si summa crediti in duobus modiis fuerit, tertium modium amplius consequantur.

[89] L. 4. tit. 32. de Usur. leg. 26. (t. 4. p. 966.) Illos vero, qui ergasteriis præsunt, vel aliquam licitam negotiationem gerunt, usque ad bessem centesimæ, [usurarum nomine, in quocunque contractu] suam stipulationem moderari.

[90] Ibid. .... Cæteros autem omnes homines dimidiam tantummodo centesimæ, usurarum nomine, posse stipulari.

[91] [Vid. Suid. in voce ἔφεκτος. (t. 1. p. 1105 f. 1.) Ἔφεκτος τόκος, ὁ ἐπὶ τὸ ἕκτον κεφαλαίου = *a sixth part of the whole.* Ed.]

[92] Cod. Justin. ut supr. (p. 966.) ..... Ideoque jubemus illustribus quidem personis, sive eas præcedentibus, minime licere ultra tertiam partem centesimæ, usurarum nomine, in quocumque contractu ulli vel maximo stipulari.

[93] Ibid. leg. 28. (p. 968.) Ut

ase whatsoever; as is evident from an edict of Justinian's, rhich both mentions and confirms the ancient prohibition of it y the laws of the emperors that were before him. So that everal of these kinds of usury being prohibited to the laity in eneral by the laws of the State, it was no wonder that they hould be more severely forbidden to the clergy by the laws of he Church.

Then for the other sorts of usury, which the State allowed, he Church had two reasons for discouraging the practice of hem in the clergy. First, because usury was most commonly xacted of the poor, which the Church reckoned an oppression f them, who were rather to be relieved by the charity of ending without usury, as the Gospel requires. Secondly, the lergy could not take usury of the rich and trading part of he world, but that must needs engage them in secular business nd worldly concerns, more than the wisdom of the Church in hose times thought fit to allow. And this I take to be the rue state of the case, and the sum of the reasons for prohibiting he clergy the practice of usury in the primitive Church. Usury vas generally a great oppression to the poor, as the ancient vriters[94], who speak against it, commonly complain. Or else it vas thought to argue and proceed from a covetous and worldly nind, which made men forsake their proper employment, and ketake themselves to other business which was beside their alling, and could not then be followed without some reproach nd dishonour to it. Therefore Cyprian [95], speaking of some ishops, who were the reproach of his age, in enumerating heir miscarriages, joins all these things together; 'that they,

ullo modo usuræ usurarum a debitoribus exigantur, et veteribus uidem legibus constitutum fuerat, ed non perfectissime cautum. Si nim usuras in sortem redigere furat concessum, et totius summæ usuras stipulari; quæ differentia rat debitoribus, a quibus revera usurarum usuræ exigebantur? Hoc erte erat non rebus, sed verbis tanummodo legem ponere. Quapropr hac apertissima lege definimus, ullo modo licere cuiquam usuras æteriti temporis vel futuri in sorem redigere, et earum iterum usuas stipulari, &c.

[94] Vid. Chrysost. Hom. 56. in Matth. (t. 7. p. 573 a.) Μὴ τοίνυν πραγματευώμεθα τὰς ἀλλοτρίας συμφορὰς, μηδὲ καπηλεύωμεν τὴν φιλανθρωπίαν.—Ibid. (a.).. Ὁ τελώνης νόμον πληροῖ τὸν ἔξωθεν, ἀλλ' ὅμως κολάζεται· ὃ καὶ ἡμεῖς πεισόμεθα, ἐὰν μὴ ἀποστῶμεν τοὺς πένητας ἐπιτρίβοντες, καὶ τῇ χρείᾳ καὶ τῇ ἀναγκαίᾳ τροφῇ, καὶ ἀφορμῇ εἰς καπηλείαν ἀναίσχυντον ἀποχρώμενοι. — Basil. Hom. in Ps. 14. t. 3. p. 136. (t. 1. part. 1. p. 153 b. 1.) Ὁ γὰρ τόκοις ἑαυτὸν ὑπεύθυνον καταστήσας, κ. τ. λ.

[95] De Lapsis, p. 124. (p. 88.) Episcopi plurimi, &c. See ch. 1. s. 3. the last part of n. 31, preceding.

who ought to have been examples and encouragers to the rest, had cast off the care of divine service to manage secular affairs; and leaving their sees, and deserting their people, they rambled into other provinces to catch at business that would bring them in gain: meanwhile the poor brethren of the Church were suffered to starve without relief, whilst their minds were set upon hoarding up silver in abundance, and getting estates by fraudulent arts, and exercising usury to augment their own treasures.' When usury was ordinarily attended with such concomitants as these, it was no wonder it should be utterly proscribed by the holy Fathers of the Church. Besides St. Chrysostom[96] plainly intimates, 'that in his time all senators and persons of quality were absolutely forbidden to take usury by the laws of the commonwealth.' And that consideration probably so much the more inclined the Fathers of the Church to forbid it to the clergy, lest they should seem to be outdone by men of a secular life; and it might be objected to them, that the laws of the Church in this respect were more remiss than the laws of the State.

he hosity of clergy.

7. Indeed the necessities of the poor, and fatherless, and strangers, and widows in those early times were so importunate and craving in every Church, that their revenues would seldom answer all their demands. 'The Church,' as St. Austin says[97], 'had very rarely any thing to lay up in bank. And then it did not become a bishop to hoard up gold, and turn away the poor empty from him. They had daily so many poor petitioners, so many in distress and want continually applying to them, that they were forced to leave some in their sorrows, because they had not wherewith to relieve them all.' Now in

[96] Hom. 56. in Matth. (t. 7. p. 574 b.) Εἰ δὲ βούλει καὶ τοὺς ἔξωθεν νομοθέτας ἔρεσθαι, ἀκούσῃ, ὅτι κἀκείνοις τῆς ἐσχάτης ἀναισχυντίας τὸ πρᾶγμα δεῖγμα εἶναι δοκεῖ· τοὺς γοῦν ἐν ἀξιώμασιν ὄντας, καὶ εἰς τὴν μεγάλην τελοῦντας βουλὴν, ἣν σύγκλητον καλοῦσιν, οὐ θέμις τοιούτοις κέρδεσιν καταισχύνεσθαι· ἀλλὰ νόμος ἐστὶν παρ' αὐτοῖς ὁ τὰ τοιαῦτα ἀπαγορεύων κέρδη.—Honorius, anno 397, published a law which implies the same; (Cod. Theod. l. 2. tit. 33. de Usur. leg. 3;) though by a following law, anno 405, he allowed senators half the centesimal interest: q. v. (t. 1. pp. 236, 237.) Frustra debitores, &c. . . . Senatores sub medietatem centesimæ, &c.

[97] Serm. 49. de Divers. [al. Serm. 355. de Vit. et Morib. Clericor. 1. c. 5.] (t. 5. p. 1382 g.) Enthecam nobis habere non licet. Non enim est episcopi servare aurum, et revocare a se mendicantis manum. Quotidie tam multi petunt, tam multi gemunt, tam multi nos inopes interpellant; ut plures tristes relinquamus, quia quod possimus dare omnibus non habemus.

this case, where there was need of greater charities than they had funds or abilities to bestow, there could be no room for usury, but with great neglect and uncharitableness to the poor. And therefore, instead of lending upon usury, they were obliged to be exemplary in the practice of the contrary virtues, hospitality and charity; which the ancients[98] call lending upon divine usury, not to receive one in the hundred, but an hundred for one from the hands of God. 'It was then one of the glories of a bishop,' St. Jerom tells us[99], 'to be a provider for the poor; but a disgrace to the holy function, to seek only to enrich himself.' And therefore he gives this direction to Nepotian, among other good rules, which he prescribes him, 'that his table should be free to the poor and strangers, that with them he might have Christ for his guest.' St. Chrysostom[1] speaks nobly of his bishop Flavian upon the account of this virtue; he says, 'his house was always open to strangers, and such as were forced to fly for the sake of religion; where they were received and entertained with that freedom and humanity, that his house might as properly be called the house of strangers as the house of Flavian. Yea, it was so much the more his own, for being common to strangers; for whatever we possess is so much the more our property for being communicated to our poor brethren; there being no place where we may so safely lay up our treasure, as in the hands and bellies of the poor.'

[98] Petr. Chrysolog. Serm. 25. p. 269. (p. 44.) Usura mundi centum ad unum, Deus unum accipit ad centum. — Chrysost. Hom. 56. in Matth. 17. p. 507. (t. 7. p. 573 c.) *Τί πτωχὸς εἰ καὶ πένης; καὶ τί μικρόψυχος, ὀλίγου τὰ μεγάλα πωλῶν, χρημάτων ἀπολλυμένων, δέον βασιλείας ἀεὶ μενούσης; τί τὸν Θεὸν ἀφεὶς, ἀνθρώπινα κερδαίνεις κέρδη; τί τὸν πλουτοῦντα παραδραμὼν, τὸν οὐκ ἔχοντα ἐνοχλεῖς, καὶ τὸν ἀποδιδοῦντα καταλιπὼν, τῆς ἀγνωμονοῦντι συλλαλεῖς, καὶ συμβάλλεις; ἐκεῖνος ἐπιθυμεῖ ἀποδοῦναι· οὗτος δὲ καὶ δυσχεραίνει ἀποδιδούς· οὗτος μόλις ἑκατοστὴν ἀποδίδωσιν· ἐκεῖνος δὲ ἑκατονταπλασίονα καὶ ζωὴν αἰώνιον.*

[99] Ep. 2. [al. 52.] ad Nepotian. (t. 1. p. 259 b.) Gloria episcopi est pauperum opibus providere: ignominia omnium sacerdotum est propriis studere divitiis.

[1] Hom. 1. in Gen. t. 2. p. 886. (t. 4. p. 650 b.) .... *Ὃς τὴν οἰκίαν τὴν πατρῴαν, ὥσπερ εἰς αὐτὸ τοῦτο παρὰ τῶν προγόνων δεξάμενος, ἵνα ταῖς τῶν ξένων αὐτὴν θεραπείαις παράσχῃ, οὕτω διαπαντὸς τοῖς πάντοθεν ἐλαυνομένοις ὑπὲρ τῆς ἀληθείας ἀνῆκε, καὶ ὑποδέχεται, καὶ θεραπεύει θεραπείας τρόπῳ παντοδαπῷ· ὥστε οὐκ οἶδα εἰ χρὴ τούτου μᾶλλον, ἢ τῶν ξένων καλεῖν τὴν οἰκίαν τὴν τούτου· μᾶλλον δὲ διὰ τοῦτο τούτου νομίζειν εἶναι αὐτὴν, ἐπειδὴ τῶν ξένων ἐστί· καὶ γὰρ τὰ ἡμέτερα κτήματα τότε μάλιστα ἡμέτερα γίνεται, ὅταν μὴ ἡμῖν αὐτοῖς, ἀλλὰ τοῖς πένησιν αὐτὰ κεκτημένοι διαπαντὸς ὦμεν· καὶ πῶς; ἐγὼ λέγω· ἂν εἰς δεξιὰν τοῦ πένητος ἀποθῇς τὸ ἀργύριον· κ. τ. λ.*

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8. Now the better to qualify them to perform this duty, every clergyman was required to lead a frugal life; that is, to avoid profuseness, as well in their own private concerns, as in giving great entertainments to the rich; which is but a false-named hospitality, and a great usurper upon the rights and revenues of the poor. We may judge of the simplicity of those times by the character which Ammianus Marcellinus[2], the heathen historian, gives of the Italian bishops, as it is probable, from his own observation: he says, 'their spare diet and frugal way of living, their cheap clothing and grave deportment, did recommend them to God and his true worshippers as persons of pure and modest souls.' This made those country-bishops more honourable, in his opinion, than if they had lived in the riches and state and splendour of the bishops of Rome. By a canon of the fourth Council of Carthage[3], all the African bishops were obliged to live after this manner; not to affect rich furniture, or sumptuous entertainments, or a splendid way of living, but to seek to advance the dignity and authority of their order by their faith and holy living. Some indeed were for that other sort of hospitality, for entertaining the rich, and especially the magistrates, on pretence that they might keep an interest in them, and be able to intercede with them for poor criminals when they were condemned. But St. Jerom particularly considers and answers this pretence in his instructions to Nepotian. 'You must avoid,' says he[4], 'giving great entertainments to secular men, and especially those that are in great offices. For it is not very reputable to have the lictors and guards of a consul stand waiting at the doors of a priest of Christ, who himself was crucified and poor; nor that the judge of a province should dine more sumptuously with you than in the palace. If it be pretended that you do this only to be able to intercede with him for poor criminals, there is no judge but will pay a greater deference and respect to a frugal clergyman than a rich one, and shew greater reverence to your sanctity than your riches. Of if he be such

[2] L. 27. c. 3. See ch. 1. s. 1. the latter part of n. 23, preceding.

[3] C. 15. (t. 2. p. 1201 b.) Ut episcopus vilem supellectilem et mensam ac victum pauperem habeat, et dignitatis suæ auctoritatem fide et meritis vitæ quærat.

[4] Ep. 2. [al. 52.] ad Nepotian. c. 11 tot. (t. 1. p. 263 d.) Convivia tibi vitanda sunt, &c.

an one as will not hear a clergyman's intercessions but only among his cups, I should freely be without this benefit, and rather beseech Christ for the judge himself, who can more speedily and powerfully help than any judge.' St. Jerom, in the same place[5], advises his clerk not to be over free in receiving other men's entertainments neither. 'For the laity,' says he, 'should rather find us to be comforters in their mournings, than companions in their feasts. That clerk will quickly be contemned that never refuses any entertainments, when he is frequently invited to them.' Such were the ordinary rules and directions, given by the ancients, for regulating the hospitality and frugality of the clergy. But many bishops and others far exceeded these rules in transcendent heights of abstinence and acts of self-denial, freely chosen and imposed upon themselves, that they might have greater plenty and superfluities to bestow upon others. Gregory Nazianzen[6] gives us this account of St. Basil, 'that his riches was to possess nothing; to live content with that little which nature requires; to despise delicacies and pleasures, and set himself above the slavery of that cruel and sordid tyrant the belly. His most delicious and constant food was bread and salt and water; his clothing but one coat and one gown; his lodging upon the ground; not for want of better accommodations, for he was metropolitan of Cæsarea, and had considerable revenues belonging to his Church; but he submitted to this way of living in imitation of his Saviour, who became poor for our sakes, that we through his poverty might be made rich.' And therefore both the same author[7], and the Church-historians[8] also

[5] Ibid. c. 15. sub fin. (p. 266 e.) Facile contemnitur clericus, qui, sæpe vocatus ad prandium, ire non recusat.

[6] Orat. 20. de Laud. Basil. (p. 357 c.) *Ἐκείνῳ πλοῦτος τὸ μηδὲν ἔχειν· . . θαυμαστὸν ἡ ἐγκράτεια καὶ ὀλιγάρκεια, καὶ τὸ μὴ κρατεῖσθαι τῶν ἡδονῶν· μηδ' ὡς ὑπὸ πικρᾶς καὶ ἀνελευθέρου δεσποίνης τῆς γαστρὸς ἄγεσθαι· . . πρὸς τὰ κρίνα βλέπειν καὶ τὰ πτηνά, οἷς ἄτεχνον τὸ κάλλος, καὶ σχέδιος ἡ τροφή, κατὰ τὴν μεγάλην παραίνεσιν τοῦ ἐμοῦ Χριστοῦ, καὶ σάρκα δι' ἡμᾶς πτωχεύσαντος, ἵν' ἡμεῖς πλουτισθῶμεν θεότητα· ἐντεῦθεν αὐτῷ τὸ ἐν χιτώνιον, καὶ τριβώνιον ἡ χαμευνία· καὶ ἡ ἀγρυπνία, καὶ ἡ ἀλουσία, τὰ ἐκείνου σεμνολογήματα· καὶ τὸ ἥδιστον δεῖπνον καὶ ὄψον, ὁ ἄρτος καὶ οἱ ἅλες, ἡ καινὴ καρυκεία· καὶ ποτὸν νηφάλιόν τε καὶ ἄφθονον, ὃ γεωργοῦσι πηγαὶ μηδὲν πονουμένοις.*

[7] Ibid. (p. 349 d.) *Δημεύσει μὲν οὐχ ἁλωτὸς ὁ μηδὲν ἔχων, πλὴν εἰ τούτων χρήσεις τῶν τρυχίνων μου ῥακίων καὶ βιβλίων ὀλίγων, ἐν οἷς ὁ πᾶς ἐμοὶ βίος.*

[8] Sozom. l. 6. c. 16. (v. 2. p. 238. 31.) *Οὐσίαν μὲν οὐκ ἔχω, ῥάκος δὲ καὶ βιβλία ὀλίγα· οἰκῶ δὲ τὴν γῆν, ὡς ἀεὶ παροδεύων.*

tell us, that when, in the time of the Arian persecution under Valens, he was threatened by one of the emperor's agents, that unless he would comply he should have all his goods confiscated, his answer was, 'that no such punishment could reach him, for he was possessed of nothing, unless the emperor wanted his threadbare clothes, or a few books, which was all the substance he was master of.' St. Jerom gives the like character of Exuperius, bishop of Tholouse, who made other men's wants always his own; and, like the widow of Sarepta, pinched and denied himself to feed the poor, bestowing all his substance upon the bowels of Christ. Nay, such was his frugality, that he ministered the body of Christ in a basket of osiers, and the blood in a glass cup. 'But nothing,' says our author[9], 'could be more rich or glorious than such a poverty as this.' It were easy to give a thousand instances of the same nature in the Cyprians, the Austins, the Nazianzens, the Paulinuses, and other such like generous spirits of the age they lived in; who contemned the world with greater pleasure, than others could admire or enjoy it. But as such heights of heroic virtues exceeded the common rule, they are not proposed as the strict measures of every man's duty, but only to excite the zeal of the forward and the good. It may be said of this, as our Saviour says of a parallel case, "All men cannot receive this saying, save they to whom it is given; but he that is able to receive it, let him receive it."

hether e clergy ere an- ently ob- ged by y law to rt with eir tem- ral pos- ssions.

9. Some indeed would fain turn this prudential advice into a law, and attempt to prove that anciently the clergy were under an obligation to quit their temporal possessions, when they betook themselves to the service of the Church. But this is to outface the sun at noon-day. For as there is no just ground for this assertion, so there are the plainest evidences to the contrary. Among those called the Apostolical Canons there is one[10] to this purpose: 'Let the goods of the bishop, if he has

[9] Ep. 4. [al. 125.] ad Rustic. sub fin. (t. 1. p. 941 e.) Nihil illo ditius, qui corpus Domini canistro vimineo, sanguinem portat in vitro.

[10] C. 40. [al. 39.] (Cotel. [c. 33.] v. 1. p. 443.) Ἔστω φανερὰ τὰ ἴδια τοῦ ἐπισκόπου πράγματα, εἴγε καὶ ἴδια ἔχει, καὶ φανερὰ τὰ κυριακά, ἵνα ἐξουσίαν ἔχῃ τῶν ἰδίων τελευτῶν ὁ ἐπίσκοπος, ὡς βούληται καὶ οἷς βούλεται [al. οἷς βούλεται, καὶ ὡς βούλεται,] καταλείψαι· καὶ μὴ προφάσει τῶν ἐκκλησιαστικῶν πραγμάτων διαπίπτειν τὰ τοῦ ἐπισκόπου, ἔσθ' ὅτε γυναῖκα καὶ παῖδας κεκτημένου, ἢ συγγενεῖς, ἢ οἰκέτας. Δίκαιον γὰρ τοῦτο παρὰ Θεῷ καὶ ἀνθρώποις, τὸ μήτε τὴν ἐκκλησίαν ζημίαν τινὰ ὑπομένειν ἀ-

any of his own, be kept distinct from those of the Church; that when he dies he may have power to dispose of them, to whom he pleases, and as he pleases; and not receive damage in his private effects upon pretence that they were the goods of the Church. For perhaps he has a wife, or children, or relations, or servants: and it is but just both before God and man, that neither the Church should suffer for want of knowing what belonged to the bishop, nor the bishop's relations be damaged by the Church, or come into trouble upon that account, which would be to the scandal and reproach of the deceased bishop.' Many other canons[11], both of the Greek and Latin Church, are to the same effect. Nor can it be pretended that this is to be understood only of such estates as they got in the service of the Church. For St. Ambrose plainly intimates, that the law left the clergy in the full possession of their patrimony or temporal estates which they had before. For he brings in some malcontents among the clergy[12] thus complaining: 'What advantage is it to me to be of the clergy, to suffer injuries and undergo hard labour, as if my own estate would not maintain me?' This implies, that men of estates were then among the clergy. And indeed there was but one case in which any clerk could be compelled to quit his possessions, and that was when his estate was originally tied to the service of the empire, of which I have given a full account before. In all other cases it was matter of free choice, and left

γροίᾳ τῶν τοῦ ἐπισκόπου πραγμάτων, μήτε τὸν ἐπίσκοπον ἢ τοὺς αὐτοῦ συγγενεῖς προφάσει τῆς ἐκκλησίας δημεύεσθαι [al. πημαίνεσθαι] ἢ καὶ εἰς πράγματα ἐμπίπτειν τοὺς αὐτῷ διαφέροντας, καὶ τὸν αὐτοῦ θάνατον δυσφημίαις περιβάλλεσθαι.

[11] Vid. C. Antioch. c. 24. (t. 2. p. 572 c.) Φανερὰ δὲ εἶναι, τὰ διαφέροντα τῇ ἐκκλησίᾳ μετὰ γνώσεως τῶν περὶ αὐτὸν [ἐπίσκοπον] πρεσβυτέρων καὶ διακόνων· ὥστε τούτους εἰδέναι, καὶ μὴ ἀγνοεῖν, τίνα ποτέ ἐστι τῆς ἐκκλησίας, ὥστε μηδὲν αὐτοὺς λανθάνειν· ἵν' εἰ συμβαίη τὸν ἐπίσκοπον μεταλλάττειν τὸν βίον, φανερῶν ὄντων τῶν διαφερόντων τῇ ἐκκλησίᾳ πραγμάτων, μήτε αὐτὰ διαπίπτειν καὶ ἀπόλλυσθαι, μήτε τὰ ἴδια τοῦ ἐπισκόπου ἐνοχλεῖσθαι προφάσει τῶν ἐκκλησιαστικῶν πραγμάτων· δίκαιον γὰρ καὶ ἀρεστὸν παρά τε τῷ Θεῷ καὶ ἀνθρώποις, τὰ ἴδια τοῦ ἐπισκόπου, οἷς ἂν αὐτὸς βούλεται, καταλιμπάνεσθαι, κ. τ. λ.—C. Agathens. c. 47. (t. 4. p. 1391 b.) Ut de rebus episcopi propriis vel acquisitis, vel quidquid episcopus de suo proprio habet, hæredibus suis, si voluerit, derelinquat.—C. Carth. 3. c. 49. (t. 2. p. 1178 a.) Si ipsis [clericis] proprie aliquid liberalitate alicujus, vel successione cognationis obvenerit, faciant inde, quod eorum proposito congruit.

[12] Ep. 17. [al. 81.] ad Clericos. (t. 2. p. 1098 a. 1.) Quid mihi prodest in clero manere, subire injurias, labores perpeti, quasi non possit ager meus me pascere.

to his liberty, whether he would dispose of his estate to any pious use or not. Only, if he did not, it was expected he should be more generous in his charities, and less burdensome to the Church, his needs being supplied another way. Though neither was this forced upon him by any law, but only urged upon reasons of charity[13]: leaving him judge of his own necessities, and not forbidding him to have his dividend in the Church, if in his own prudence he thought fit to require it. Socrates[14] commends Chrysanthus, a Novatian bishop, upon this account, that having an estate of his own, he never took any thing of the Church, save two loaves of the *eulogiæ* or offerings on Sunday; though he does not once intimate that there was any law to compel him to do so. As neither does Prosper, who speaks most of any other against rich men's taking their portion in the charities of the Church. He reckons[15] it indeed a dishonourable act and a sin in them, because it was to deprive others of the Church's charity, who stood more in need of it; and he thinks[16], though a rich clergyman might keep his own estate without sin, because there was no law but the law of perfection to oblige him to renounce it, yet it must be upon condition that he required none of the maintenance of the Church. But he only delivers this as his own private opinion, and does not signify that there was then any such standing law in the Church. In Afric they had a peculiar law against covetousness in the time of St. Austin, which was[17], 'that if any bishop, presbyter, or deacon, or any other clerk, who had no estate when they were ordained, did

[13] Vid. C. Apost. 41. [al. 40.] (Cotel. [c. 34.] v. 1. p. 443.) Μεταλαμβάνειν δὲ καὶ αὐτὸν τῶν δεόντων, εἴγε δέοιτο, εἰς τὰς ἀναγκαίας αὐτῷ χρείας.—Conf. C. Antioch. 1. c. 25. (t. 2. p. 573 a.) where the same words occur.

[14] L. 7. c. 12. (v. 2. p. 348 d.) Ἀπό τε τῶν ἐκκλησιῶν οὐδὲν ἐδέξατο, πλὴν κατὰ κυριακὴν δύο ἄρτους τῶν εὐλογιῶν ἐλάμβανεν.

[15] De Vit. Contemplat. l. 2. c. 12. (append. p. 34 b. 6.) Noverint esse deformius, possessores de eleemosynis pauperum pasci.

[16] Ibid. l. 2. c. 12. (append. p. 34.) Illi, qui tam infirmi sunt, ut possessionibus suis renunciare non possint; si ea, quæ accepturi erant, dispensatori relinquant, nihil habentibus conferenda, sine peccato possident sua.

[17] C. Carth. 3. c. 49. (t. 2. p. 1177 e.) Placuit, ut episcopi, presbyteri, diaconi, vel quicunque clerici, qui nihil habentes ordinantur, et tempore episcopatus vel clericatus sui, agros vel quæcunque prædia nomine suo comparant, tanquam rerum divinarum [al. dominicarum] invasionis crimine teneantur obnoxii, nisi admoniti ecclesiæ eadem ipsa contulerint.

afterward purchase lands in their own name, they should be impleaded as guilty of invading the Lord's revenue, unless upon admonition they conferred the same upon the Church.' For in those times the Church-revenues being small, no one's dividend was more than a competent maintenance; and therefore it was presumed, that he, who could purchase lands in such circumstances, must have been some way injurious to the public revenues of the Church. But in the same law it was provided, that, if any estate was left them by donation or inheritance, they might dispose of it as they pleased themselves: for the Church made no rules, but only gave her advice in such cases as these; exhorting her wealthy clergy to greater degrees of liberality, but not demanding their estates to have them at her own disposal. On the other hand, when clergymen, who had no visible estates of their own, and were single men, and had no poor families to provide for, were busily intent upon growing rich out of the revenues of the Church; this was always esteemed a scandalous covetousness, and accordingly prosecuted with sharp invectives by St. Jerom[18] and others of the ancient writers. So much of the laws of charity which concerned the ancient clergy.

Of their great care to be inoffensive with their tongues.

10. I might here give a character of their meekness, modesty, gravity, humility, and several other virtues, which Nazianzen describes in the person of his own father; but I shall but take notice of two things more, which concerned the conduct of their lives, and those are the laws relating first to their *words*, and secondly to their *fame and reputation*. For their words, they who were to teach others the most difficult part of human conduct, the government of the tongue, were highly concerned to be examples to the people as well in word as action. And to this purpose the laws were very severe against all manner of licentious discourse in their conversation. The fourth Council of Carthage has three canons together upon this head; one[19] of which forbids scurrility and buffoonery,

[18] Epitaph. Nepotian. Ep. 3. [al. 60.] ad Heliodor. (t. 1. p. 337 d.) Alii nummum addant nummo.. sint ditiores monachi, quam fuerant seculares; et clerici possideant opes sub Christo paupere, quas sub locuplete [et fallace] Diabolo non habuerant: et suspiret eos ecclesia divites, quos mundus tenuit ante mendicos.

[19] C. 60. (t. 2. p. 1204 e.) Clericum scurrilem, et verbis turpibus joculatorem, [al. jocularem,] ab officio detrahendum [al. retrahendum.]

or that foolish talking and jesting with obscenity, which the Apostle calls *βωμολοχία*[20], under the penalty of deprivation. Another[21] threatens such with excommunication as use to swear by the name of any creature. And a third canon[22] menaces the same punishment to such as sing at any public entertainments. St. Jerom[23] particularly cautions his clerk against detraction, because of the temptation he may lie under either to commit the sin himself, or give way to it in others, by hearkening to and reporting false suggestions after them. Which is much the same thing; 'for no slanderer tells his story to one that is not willing to hear him.' 'An arrow,' says he, 'never fixes upon a stone, but often recoils back, and wounds him that shoots it. Therefore let the detracter learn to be less forward and busy, by your unwillingness to hear his detraction.' St. Chrysostom[24] takes notice of this vice as most incident to inferiors, whom envy and emulation too often prompt to detract from the authority and virtues of their bishop; especially when they are grown popular, and admired for their own eloquent preaching; then, if they be of a bold and arrogant and vain-glorious temper, their business is to deride him in private, and detract from his authority, and make themselves every thing by lessening his just character and power. Upon this hint our author also takes occasion to shew what an extraordinary courage and spirit, and how divine and even a temper a bishop ought to have, that by such temptations, and a thousand others of the like nature, he be

[20] [The term which St. Paul employs (Col. 3, 8.) is *αἰσχρολογία*. Βωμολοχία, *buffoonery* or *ribaldry*, does not occur in the N. T. It is met with in Plato's Republic, and Aristotle has described the character of the *βωμολόχος*, *the vulgar and coarse jester*, as in one extreme of *εὐτραπελία*. See Eth. Nicom. 4. 8, 3. and Rhet. 3. 18, 7. The author has accidentally used the philosopher's term, while he had in mind the Apostle's expression. Ed.]

[21] C. 61. (ibid. p. 1205 a.) Clericum per creaturas jurantem acerrime objurgandum. Si perstiterit in vitio, excommunicandum.

[22] C. 62. (ibid. a.) Clericum inter epulas cantantem supradictæ sententiæ severitate coercendum.

[23] Ep. 2. [al. 52.] ad Nepotian. (t. 1. p. 266 a.) Cave quoque ne aut linguam aut aures habeas prurientes, id est, ne aut ipse aliis detrahas, aut alios audias detrahentes. . . . Parce a detractione linguæ, custodi sermones tuos, et scito, quia per cuncta, quæ de aliis loqueris, tua sententia judicaris, et in his ipse deprehenderis, quæ in aliis arguebas. Neque vero illa justa est excusatio, Referentibus aliis, injuriam facere non possum. Nemo invito auditori libenter refert. Sagitta in lapidem nunquam figitur, interdum resiliens percutit dirigentem. Discat detractor, dum te videt non libenter audire, non facile detrahere.

[24] De Sacerd. l. 5. c. 8. tot. (t. 1. pp. 420, 421.)

not overwhelmed either with anger or envy on the one hand, or insuperable sorrow and dejection of mind on the other. St. Jerom recommends another virtue of the tongue to his clerk, which is of great use in conversation; and that is the keeping of secrets, and knowing when to be silent, especially about the affairs of great men. 'Your office,' says he[25], 'requires you to visit the sick, and thereby you become acquainted with the families of matrons and their children, and are intrusted with the secrets of noble men. You ought therefore to keep not only a chaste eye, but also a chaste tongue. And as it is not your business to be talking of the beauties of women, so neither to let one house know from you what was done in another. For if Hippocrates adjured his disciples before he taught them, and made them take an oath of silence; if he formed them in their discourse, their gait, their meekness and modesty, their habit, and their whole morals; how much more ought we, who have the care of souls committed to us, to love the houses of all Christians as if they were our own!' He means, that the clergy should be formed to the art of silence as carefully as Hippocrates taught his scholars; that the peace and unity of Christian families might not be disturbed or discomposed by revealing the secrets of one to another; which it is certain no one will do that has the property which St. Jerom requires, of loving every Christian family as his own.

11. Secondly. As they were thus taught to be inoffensive both in word and deed, and thereby secure a good name and reputation among men, which was necessary for the due exercise of their function; so, because it was possible their credit might be impaired, not only by the commission of real evil, but by the very appearance and suspicion of it, the laws of the Church upon this account were very exact in requiring them to set a guard upon *their whole deportment*, and avoid all suspicious actions that might give the least umbrage or handle to

Of their care to guard against suspicion of evil.

[25] Ep. 2. [al. 52.] ad Nepotian. (t. 1. p. 266 c.) Officii tui est visitare languentes: nosse domos matronarum, ac liberos earum, et nobilium virorum custodire secreta. Officii tui sit, non solum oculos castos servare, sed et linguam. Nunquam de formis mulierum disputes, nec quid agatur in alia, domus alia per te noverit. Hippocrates adjurat discipulos suos, antequam doceat, et in verba sua jurare compellit: extorquet sacramento silentium; sermonem, incessum, habitum, moresque præscribit. Quanto magis nos, quibus animarum cura [al. medecina] commissa est, omnium Christianorum domos debemus amare tanquam proprias?

an adversary to reproach them. It was not enough in this case that a man kept a good conscience in the sight of God, but he must provide or forecast for honest things in the sight of men. And this was the more difficult, because men are apt to be querulous against the clergy, as St. Chrysostom observes, some through weakness and imprudence, others through malice, easily raising complaints and accusations without any just ground, and difficultly hearkening to any reasons or apologies that they can offer in their own defence. But the more querulous and suspicious men are, the more watchful it becomes the clergy to be against unjust surmises, that they may cut off occasion from them that desire occasion to accuse or reproach them. To this end they are to use the utmost diligence and precaution to guard against the ill opinions of men, by avoiding all actions that are of a doubtful or suspicious nature. 'For,' says St. Chrysostom[26], 'if the holy Apostle St. Paul was afraid, lest he should have been suspected of theft by the Corinthians; and upon that account took others into the administration of their charity with himself, that no one might have the least pretence to blame him; how much more careful should we be to cut off all occasions of sinister opinions and suspicions, however false or unreasonable they may be, or disagreeable to our

[26] De Sacerd. l. 6. c. 9. (t. 1. p. 428 e.) Εἰ γὰρ ὁ μακάριος Παῦλος, μὴ κλοπῆς ὑπόνοιαν λάβῃ παρὰ τοῖς μαθηταῖς, ἔδεισε· καὶ διὰ τοῦτο προσέλαβε καὶ ἑτέρους εἰς τὴν τῶν χρημάτων διακονίαν, ἵνα μή τις ἡμᾶς μωμήσηταί, φησιν, ἐν τῇ ἁδρύτητι ταύτῃ, τῇ διακονουμένῃ ὑφ' ἡμῶν· πῶς ἡμᾶς οὐ πάντα δεῖ ποιεῖν, ὥστε τὰς πυνημὰς ἀναιρεῖν ὑποψίας, κἂν ψευδεῖς, κἂν ἀλύγιστοι τυγχάνωσιν οὖσαι, κἂν σφόδρα τῆς ἡμετέρας ἀπέχωσι δόξης· οὐδενὸς γὰρ ἁμαρτήματος τοσοῦτον ἡμεῖς ἀφεστήκαμεν, ὅσον κλοπῆς ὁ Παῦλος· ἀλλ' ὅμως καὶ τοσοῦτον ἀφεστηκὼς τῆς πονηρᾶς ταύτης πράξεως, οὐδὲ οὕτως ἠμέλησε τῆς τῶν πολλῶν ὑπονοίας, καίτοι λίαν οὖσης ἀλόγου καὶ μανιώδους· μανία γὰρ ἦν, τοιοῦτον ὑποπτεῦσαί τι περὶ τῆς μακαρίας καὶ θαυμαστῆς ἐκείνης ψυχῆς· [κεφαλῆς· Savil. Bened.] ἀλλ' ὅμως οὐδὲν ἧττον καὶ ταύτης τῆς ὑποψίας, τῆς οὕτως ἀλόγου, καὶ ἣν οὐδεὶς ἂν μὴ παραπαίων ὑπώπτευσε, πόρρωθεν ἀναιρεῖ τὰς αἰτίας· καὶ οὐ διέπτυσε τὴν τῶν πολλῶν ἄνοιαν, οὐδὲ εἶπε· τίνι γὰρ ἂν ἐπέλθοι ποτὲ, τοιαῦτα περὶ ἡμῶν ὑπονοεῖν, καὶ ἀπὸ τῶν σημείων, καὶ ἀπὸ τῆς ἐπιεικείας τῆς ἐν τῷ βίῳ, πάντων ἡμᾶς καὶ τιμώντων καὶ θαυμαζόντων; ἀλλ' ἅπαν τοὐναντίον, καὶ ὑπείδετο καὶ προσεδύκησε ταύτην τὴν πονηρὰν ὑπόνοιαν· καὶ πρόρριζον αὐτὴν ἀνέσπασε, μᾶλλον δὲ οὐδὲ φῦναι τὴν ἀρχὴν ἀφῆκε· διὰ τί; προνοοῦμεν γάρ, φησι, καλὰ οὐ μόνον ἐνώπιον Κυρίου, ἀλλὰ καὶ ἐνώπιον ἀνθρώπων. τοσαύτῃ δεῖ μᾶλλον δὲ καὶ πλείονι κεχρῆσθαι σπουδῇ· ὥστε μὴ μόνον αἱρομένας κατασπᾶν καὶ κωλύειν τὰς φήμας τὰς οὐκ ἀγαθάς· ἀλλὰ καὶ πόρρωθεν, ὅθεν ἂν γένοιντο, προορᾶν· καὶ τὰς προφάσεις, ἐξ ὧν τίκτονται, προαναιρεῖν, καὶ μὴ περιμένειν αὐτὰς συστῆναι, καὶ ἐν τοῖς τῶν πολλῶν διαβρυλληθῆναι στόμασι· τηνικαῦτα γὰρ οὔτε εὔπορον αὐτὰς ἀφανίσαι λοιπὸν, ἀλλὰ καὶ λίαν δυσχερές, τάχα δὲ καὶ ἀδύνατον· οὔτε ἀζήμιον, τῷ μετὰ τὴν τῶν πολλῶν βλάβην τοῦτο γενέσθαι.

character! For none of us can be so far removed from any sin as St. Paul was from theft; yet he did not think fit to contemn the suspicions of the vulgar; he did not trust to the reputation which both his miracles and the integrity of his life had generally gained him: but, on the contrary, he imagined such suspicions and jealousies might arise in the hearts of some men, and therefore he took care to prevent them; not suffering them to arise at all, but timely foreseeing and prudently forestalling them; providing, as he says, for honest things not only in the sight of God, but also in the sight of men. The same care and much greater should we take, not only to dissipate and destroy the ill opinions men may have entertained of us, but to foresee afar off from what causes they may spring, and to cut off beforehand the very occasions and pretences from whence they may grow. Which is much easier to be done than to extinguish them when they are risen, which will then be very difficult, perhaps impossible; besides that their being raised will give great scandal and offence, and wound the consciences of many.' Thus that holy father argues upon this point, according to his wonted manner, nervously and strenuously, to shew the clergy their obligations to use their utmost prudence to foresee and prevent scandal, by avoiding all actions of a doubtful and suspicious nature. St. Jerom[27] gives his clerk the same instructions, 'to guard against suspicions, and take care beforehand to minister no probable grounds for raising any feigned stories concerning him. If his office required him to visit the widows or virgins of the Church, he should never go to them alone, but always take some other persons of known probity and gravity with him, from whose company he would receive no defamation.'

12. Nor was this only the private direction of St. Jerom, but a public rule of the Church. For in the third Council of Carthage this canon[28] was enacted, 'that neither bishop nor

Laws lating this n

[27] Ep. 2. [al. 52.] ad Nepotian. (t. 1. p. 258 c.) Caveto omnes suspiciones: et quicquid probabiliter fingi potest, ne fingatur, ante devita ... Si, propter officium clericatus, aut vidua a te visitatur aut virgo, nunquam domum solus introeas. Tales habeto socios, quorum contubernio non infameris.

[28] C. 25. (t. 2. p. 1171 a.) Ut clerici vel continentes ad viduas vel virgines, nisi jussu vel permissu episcoporum et presbyterorum, non accedant. Et hoc non soli faciant, sed cum clericis, vel cum his, cum quibus episcopus jusserit vel presbyter. Nec episcopi, aut presbyteri, soli habeant accessum ad hujusmodi fœminas, nisi aut clerici præsentes sint, aut graves aliqui Christiani.

presbyter, nor any other clerk, should visit the widows and virgins alone, but in the company and presence of some other of the clergy, or some grave Christians.' And in the first Council of Carthage[29] and the Council of Epone[30] there are canons to the same purpose.

n account ' the *aga-tæ* and *συνείσακ-τοι*, and the ws of the hurch ade a-inst iem.

13. The great Council of Nice[31] made another order upon the same grounds, to prevent all sinister opinions, 'that none of the unmarried clergy, bishop, presbyter, deacon, or any other, should have any woman that was a stranger, and not one of their kindred, to dwell with them; save only a mother, a sister, or an aunt, or some such persons, with whom they might live without suspicion.' They who hence conclude that the clergy were forbidden to cohabit with their wives, which they had married before ordination, are sufficiently exposed by Gothofred[32], as ignorant of the true import of the original word, *συνείσακτος*, which never denotes a wife, but always *a stranger*, in opposition to those of one's kindred. And it is evident, the canon was made not upon the account of the married clergy, but the unmarried, to prevent suspicion and evil reports, that might easily arise from their familiar conversation with women that were not of their kindred or near relations.

[29] C. 3. (ibid. p. 1823 c.) Occasiones enim amputandæ sunt peccatorum, et tollendæ omnes suspiciones, quibus subtilitas Diaboli, sub prætextu caritatis et dilectionis, incautas animas vel ignaras irretire consuevit. Nullus ergo et nulla, sanctimoniæ deserviens, propter blasphemiam ecclesiæ, si vobis placet, in una domo penitus commorari [non] debent. Universi dixerunt: Qui nolunt nubere et pudicitiæ meliorem eligunt partem, vitare debent, non solum habitare simul, sed nec habere ad se aliquem accessum.

[30] C. 20. (t. 4. p. 1578 d.) Episcopo, presbytero, et diacono, vel cæteris clericis, horis præteritis, id est, meridianis vel vespertinis, ad fœminas prohibemus accessum: quæ tamen, si causa fuerit, cum presbyterorum aut clericorum testimonio videantur.

[31] C. 3. (t. 2. p. 29 d.) Ἀπηγόρευσε καθόλου ἡ μεγάλη συνόδος, μήτε ἐπισκόπῳ, μήτε πρεσβυτέρῳ, μήτε διακόνῳ, μήτε ὅλως τινὶ τῶν ἐν τῷ κλήρῳ, ἐξεῖναι συνείσακτον γυναῖκα ἔχειν· πλὴν εἰ μὴ ἄρα μητέρα, ἢ ἀδελφὴν, ἢ θείαν, ἢ ἃ μόνα πρόσωπα πᾶσαν ὑποψίαν διαπέφευγε.

[32] In Cod. Theod. l. 16. tit. 2. de Episcopis, leg. 44. (t. 6. p. 88.) Neque hæ [conjuges] extraneæ sunt, neque cum his commune quidquam habet superior prohibitio de extraneis mulieribus non asciscendis: quod ut hæc lex apertissime testatur, ita Paphnutii quoque historia, collata cum dicto C. 3. Nicæno, pariter edocet. Quare falluntur, qui ad conjuges a maritis ad sacerdotium promotis divellendas auctoritatem canonis Nicæni advocant, qui non est nisi de extraneis, ut et Epistolam Basilii ad Paregorium 198; quæ pariter non est nisi *περὶ συνεισάκτων*. [Consult also sect. 2. throughout, wherein Gothofred is explicit on the subject. (p. 86. ad calc. col. dextr. et p. 87.) Vetantur igitur hac lege, &c. Ed.]

We may be satisfied of this from a law of Honorius and Theodosius Junior, which was made in pursuance of the Nicene Canon, and is still extant in both the Codes[33]; where,—first having forbidden the clergy to cohabit with any strange women, who by some were taken in under the title and appellation of sisters; and having named what persons they might lawfully entertain in their houses, viz. mothers, daughters, and sisters, because natural consanguinity would prevent all suspicion of these; lest not excepting of wives might seem to exclude them also,—a particular clause is added concerning them, 'that such as were married before their husbands were ordained should not be relinquished upon pretence of chastity, but rather be retained upon that account; it being but reasonable that they should be joined to their husbands, who by their conversation made their husbands worthy of the priesthood.' The *συνείσακτοι* then, or *strangers*, who in these laws are forbidden to cohabit with the clergy, are not their lawful wives, but others, who were taken in under the name of *sisters*, as that law of Honorius, and other ancient writers[34] intimate they were called by those that entertained them. St. Jerom[35] and Epiphanius[36] tell us, they were also known by the name of *agapetæ*, *ἀγαπηταὶ*, that is, *beloved*. So that all these several names signify but that one sort of persons, most commonly called *strangers*, *extraneæ*, and *συνείσακτοι*, whose conversation was suspicious, and therefore so often prohibited by the laws of the Church. They were commonly some of the virgins belonging to the Church, whom they, that entertained them, pretended only to

[33] Cod. Theod. l. 16. tit. 2. de Episc. leg. 44. (ibid. p. 86.)—Cod. Justin. l. 1. tit. 3. leg. 19. (t. 4. p. 83.) Eum, qui probabilem sæculo disciplinam agit, decolorari consortio sororiæ appellationis non decet. Quicunque igitur cujuscunque gradus sacerdotio fulciuntur, vel clericatus honore censentur, extranearum sibi mulierum interdicta consortia cognoscant; hac eis tantum facultate concessa, ut matres, filias, atque germanas intra domorum suarum septa contineant. In his enim nihil sævi criminis existimari fœdus naturale permittit. Illas etiam non relinqui castitatis hortatur affectio, quæ ante sacerdotium maritorum legitimum meruere conjugium. Neque enim clericis incompetenter adjunctæ sunt, quæ dignos sacerdotio viros sua conversatione fecerunt.

[34] Vid. C. Ancyr. c. 19. (t. 1. p. 1464 b.).....Τὰς *μέν τοι συνερχομένας παρθένους τισὶν, ὡς ἀδελφὰς, ἐκωλύσαμεν.*

[35] See n. 38, following.

[36] Hær. 63. Origen. n. 2. (t. 1. p. 521 d.) *Κατηγοροῦσι τῶν ἐν τῇ ἐκκλησίᾳ τὰς ἀγαπητὰς λεγομένας συνεισάκτους γυναῖκας κεκτημένων, ὡς καὶ αὐτῶν τοῦτο ἐπιτελούντων κρυφῇ διὰ τὴν τῶν ἀνθρώπων αἰδώ· ἵνα μὲν τῇ πονηρίᾳ συνθάπτωνται, τῷ δὲ προσχήματι τῶν ἀνθρώπων ἕνεκα τὸ ὄνομα σεμνύνωνται.*

love as sisters with a chaste love. But their manner of c
versing was sometimes so very scandalous, that it justly g
great offence to all sober and modest persons; and had not t
Church always interposed with her severest censures, it m
have made her liable to as great reproach. For it appe
from the complaints of St. Cyprian[37], St. Jerom[38], and othe
that the practice of some was very intolerable: for they
only dwelt together in the same house, but lodged in the sa
room, and sometimes in the same bed; and yet would
thought innocent, and called others uncharitable and suspicio
that entertained any hard thoughts of them. But the Chur
did not regard vain words, but treated them, as they justly
served, as persons that used a scandalous and indecent liber
and who were the very pests and plagues of the Church. C
prian[39] commends Pomponius for excommunicating a deac
who had been found guilty in this kind. And the Council
Antioch[40] alleged this among other reasons for their deposi
Paulus Samosatensis from his bishopric. In the following ag

[37] Ep. 7. [al. 13.] (p. 190.)... Cum summo animi nostri gemitu et dolore cognovimus, non deesse, qui Dei templa, et post confessionem sanctificata, et illustrata prius membra turpi et infami concubitu suo maculent, cubilia sua cum fœminis promiscua jungentes, &c.—Ep. 6. [al. 14.] (p. 192.) Doleo enim quando audio quosdam improbe et insolenter discurrere... Christi membra et jam Christum confessa per concubitus illicitos inquinasse, &c.—Ep. 62. [al. 4.] (p. 173.) Legimus literas tuas, frater carissime, quas per Paconium fratrem nostrum misisti, postulans et desiderans, ut tibi rescriberemus, quid nobis de iis virginibus videatur, quæ, cum in statu suo esse et continentiam firmiter tenere decreverint, detectæ sint postea in eodem lecto pariter mansisse cum masculis: ex quibus unum diaconum esse dicis; plane easdem, quæ se cum viris dormisse confessæ sint, asseverare se integras esse, &c.

[38] Ep. 22. ad Eustoch. de Virgin. Servand. [c. 14.] p. 138. (t. 1. p. 97 a.).. Unde in ecclesias agapetarum pestis introiit? Unde sine nuptiis aliud nomen uxorum? Immo unde novum concubinarum gen Plus inferam: Unde meretrices u virsæ? Quæ eadem domo, uno cu culo, sæpe uno tenentur et lectu et suspiciosos nos vocant, si aliq existimamus.

[39] Ep. 62. [al. 4.] (p. 174.).. C sulte et cum vigore fecisti, frater rissime, abstinendo diaconum, cum virgine sæpe mansit, sed et teros, qui cum virginibus dorm consueverunt. Quod si pœnit tiam hujus illiciti concubitus egerint, et a se invicem recesseri inspiciantur interim virgines ab stetricibus diligenter; et, si virgi inventæ fuerint, accepta commu catione ad ecclesiam admittanti hac tamen interminatione, ut si eosdem masculos postmodum versæ fuerint, aut si cum eisdem una domo et sub eodem tecto sin habitaverint, graviore censura ej antur, nec in ecclesiam postmod facile recipiantur, &c.

[40] Ep. Synod. ap. Euseb. l. 7. 30. (v. 1. p. 362. 19.) Τὰς δὲ συνε ἄκτους αὐτοῦ γυναῖκας, ὡς Ἀντ χεῖς ὀνομάζουσι, καὶ τῶν περὶ αὐ πρεσβυτέρων καὶ διακόνων, κ. τ. λ.

besides the Councils of Nice and Ancyra already mentioned, we meet with many other canons made upon this account, as in the second Council of Arles[41], the first, third, and fourth Councils of Carthage[42], the Council of Eliberis[43], and Lerida[44], and many others, prohibiting the clergy to entertain any women, who were strangers, and not of their near relations, under pain of deprivation. The intent of all which canons was to oblige the clergy, not only to live innocently in the sight of God, but also unblamably, and without suspicion and censure, in the sight of men. It being more especially necessary for men of their function to maintain not only a good conscience, but a good name; the one for their own sake, the other for the sake of their neighbours[45]: that men might neither be tempted to blaspheme the ways of God, by suspecting the actions of holy men to be impure, when they were not so; nor be induced to imitate such practices, as they at least imagined to be evil; either of which would turn to the destruction of their souls. So that it was cruelty and inhumanity, as St. Austin concludes, for a man, in such circumstances, to neglect and disregard his own reputation.

[41] C. 3. (t. 4. p. 1011 a.) Si quis clericus a gradu diaconatus in solatio suo mulierem, præter aviam, matrem, filiam, neptem, vel conversam secum uxorem, habere præsumpserit, a communione alienus habeatur. Par quoque et mulierem, si se separare noluerit, pœna percellat.

[42] Carth. 1. c. 3. See n. 29, preceding.—C. 4. (t. 2. p. 1824 b.) Juxta viduos et viduas eadem lex maneat et sententia.—Carth. 3. c. 17. (t. 2. p. 1170 a.) Cum omnibus omnino clericis extraneæ fœminæ non cohabitent, sed solæ matres, aviæ, materteræ, amitæ, sorores, et filiæ fratrum aut sororum, et quæcunque ex familia, domestica necessitate, etiam antequam ordinarentur, jam cum eis habitabant, &c.—Carth. 4. c. 46. (ibid. p. 1204 a.) Clericus cum extraneis mulieribus non habitet.

[43] C. 27. (t. 1. p. 973 e.) Episcopus vel quilibet alius clericus, aut sororem, aut filiam virginem dicatam Deo, tantum secum habeat; extraneam nequaquam habere placuit.

[44] C. 15. (t. 4. p. 1613 c.) Familiaritatem extranearum mulierum, licet ex toto sancti patres antiquis monitionibus præceperint ecclesiasticis evitandam, id nunc tamen nobis visum est, ut qui talis probabitur, si post primam et secundam commonitionem se emendare neglexerit, donec in vitio perseverat, officii sui dignitate privetur.

[45] Vid. August. de Bon. Viduitat. c. 22. (t. 6. p. 384 g. et p. 385.) In omnibus sane spiritalibus deliciis, quibus fruuntur innuptæ, sancta earum conversatio cauta etiam debet esse, ne forte, cum mala vita non sit per lasciviam, mala sit fama per negligentiam. Nec audiendi sunt, sive viri sancti sive fœminæ, quando reprehensa in aliquo negligentia sua, per quam fit, ut in malam veniant suspicionem, unde vitam suam longe abesse sciunt, dicunt sibi coram Deo sufficere conscientiam, existimationem hominum non imprudenter solum, verum etiam crudeliter contemnentes: cum occidunt animas aliorum, sive blasphemantium viam Dei, quibus secundum suam suspicionem quasi turpis, quæ casta

levolent l una- dable picions be con- ned.

14. But it might happen that a man, after the utmost human caution and prudence that could be used, might not be able to avoid the malevolent suspicions of ill-disposed men: for our blessed Lord, whose innocence and conduct were both equally divine, could not in his converse with men wholly escape them. Now in this case the Church could prescribe no other rule, but that of patience and Christian consolation, given by our Saviour[46] to his Apostles: "Blessed are ye, when men shall revile you, and persecute you, and shall say all manner of evil against you falsely, for my sake. Rejoice, and be exceeding glad: for great is your reward in heaven." 'When we have done,' says St. Austin[47], 'all that in justice and prudence we could to preserve our good name, if after that some men, notwithstanding, will endeavour to blemish our reputation and blacken our character, either by false suggestions or unreasonable suspicions, let conscience be our comfort, nay, plainly our joy, that great is our reward in heaven. For this reward is the wages of our warfare, whilst we behave ourselves as good soldiers of Christ, by the armour of righteousness on the right hand and on the left, by honour and dishonour, by evil report and good report.'

So much of the laws of the Church, relating to the life and conversation of the ancient clergy.

CHAP. III.

Of laws more particularly relating to the exercise of the duties and offices of their function.

e clergy iged to l a stu- us life.

1. I COME now to speak of such laws as more immediately related to their function, and the several offices and duties be-

est, displicet vita sanctorum; sive etiam cum excusatione imitantium, non quod vident, sed quod putant. Proinde quisquis a criminibus flagitiorum atque facinorum vitam suam custodit, sibi bene facit: quisquis autem etiam famam, et in alios misericors est. Nobis enim necessaria est vita nostra, aliis fama nostra: et utique etiam quod aliis ministramus misericorditer ad salutem, ad nostram quoque redundat utilitatem.

[46] Matth. 5, 11.

[47] Ibid. (p. 385 e.) ..... Ubi pro existimatione nostra, quidquid recte possumus, fecerimus; si aliqui de nobis vel mala fingendo, vel male credendo, famam nostram decolorare conantur; adsit conscientiæ solatium, planeque etiam gaudium, quod merces nostra magna est in cœlis, etiam cum dicunt homines mala multa de nobis, pie tamen justeque viventibus. Illa enim merces tamquam stipendium est militantium, per arma justitiæ, non solum dextera, verum et sinistra, per gloriam scilicet et ignobilitatem, per infamiam et bonam famam.

longing to it. In speaking of which, because many of these offices will come more fully to be considered hereafter, when we treat of the liturgy and service of the Church, I shall here speak chiefly of such duties as were required of them by way of general qualification, to enable them the better to go through the particular duties of their function. Such was, in the first place, *their obligation to lead a studious life.* For since, as Gregory Nazianzen[48] observes, the meanest arts could not be obtained without much time and labour and toil spent therein, it were absurd to think that the art of wisdom, which comprehends the knowledge of things human and divine, and comprises every thing that is noble and excellent, was so light and vulgar a thing, as that a man needed no more but a wish or a will to obtain it. Some indeed, he complains[49], were of this fond opinion, and therefore, 'before they had well passed the time of their childhood, or knew the names of the books of the Old and New Testament, or how well to read them, if they had but got two or three pious words by heart, or had read a few of the Psalms of David, and put on a grave habit, which made some outward show of piety, they had the vanity to think they were qualified for the government of the Church. They then talked nothing but of Samuel's sanctification from his cradle, and thought themselves profound scribes, and great rabbies

[48] Orat. 1. Apologet. de Fug. (t. 1. p. 22 b.) Ὀρχήσεως μὲν καὶ αὐλήσεώς ἐστι διδασκαλία καὶ μάθησις, καὶ χρόνου πρὸς τοῦτο δεῖ, καὶ ἱδρώτων συχνῶν καὶ πόνων, καὶ μισθοὺς καταβαλεῖν ἐστὶν ὅτι, καὶ προσαγωγῶν δεηθῆναι, καὶ ἀποδημῆσαι μακρότερα, καὶ τ' ἄλλα τὰ μὲν ποιῆσαι πάντα, τὰ δὲ παθεῖν οἷς ἐμπειρία συλλέγεται· τὴν δὲ σοφίαν, ἣ πᾶσιν ἐπιστατεῖ, καὶ πάντα ἐν ἑαυτῇ τὰ καλὰ συλλαβοῦσα ἔχει .... οὕτω κοῦφόν τι καὶ πεπατημένον πρᾶγμα ὑπολῃψόμεθα, ὥστε θελῆσαι δεῖ μόνον καὶ εἶναι σοφόν; πολλῆς τοῦτο τῆς ἀμαθίας.

[49] Ibid. (p. 21 c.) ..... Καὶ οὕτω κακῶς διακείμεθα, ὥστε οἱ πλείους ἡμῶν, ἵνα μὴ λέγω πάντες, πρὶν ἀποθέσθαι σχεδὸν τὴν πρώτην τρίχα, καὶ τὸ τὰ παιδικὰ ψελλίζεσθαι, πρὶν παρελθεῖν εἰς τὰς θείας αὐλὰς, πρὶν τῶν ἱερῶν βίβλων γνῶναι καὶ τὰ ὀνόματα, πρὶν καινῆς καὶ παλαιᾶς χαρακτῆρα γνωρίσαι, καὶ τοὺς προστάτας· (οὕπω γὰρ λέγω, πρὶν ἢ τὸν βόρβορον ἀποπλύνασθαι, καὶ τὰ τῆς ψυχῆς αἴσχη, ὅσα ἡ κακία ἡμῖν προσεμάξατο·) ἂν δύο ἢ τρία ῥήματα τῶν εὐσεβῶν ἐξασκήσωμεν, καὶ ταῦτα ἐξ ἀκοῆς, οὐκ ἐντεύξεως, ἢ τῷ Δαβὶδ βραχέα καθομιλήσωμεν, ἢ τὸ τριβώνιον εὖ περιστειλώμεθα, ἢ μέχρι τῆς ζώνης φιλοσοφήσωμεν, εὐσεβείας τι πλάσμα κατ' ὄψιν ἡμῖν αὐτοῖς περιχρώσαντες· βαβαὶ τῆς προεδρίας καὶ τοῦ φρονήματος· ἱερὸς καὶ ἐκ σπαργάνων ὁ Σαμουήλ. εὐθὺς ἐσμεν σοφοὶ καὶ διδάσκαλοι καὶ ὑψηλοὶ τὰ θεῖα, καὶ γραμματέων τὰ πρῶτα, καὶ νομικῶν, καὶ χειροτονοῦμεν ἡμᾶς αὐτοὺς οὐρανίους, καὶ καλεῖσθαι ὑπὸ τῶν ἀνθρώπων Ῥαββὶ ζητοῦμεν, καὶ οὐδαμοῦ τὸ γράμμα καὶ πάντα δεῖ νοηθῆναι πνευματικῶς, καὶ λῆρος πλατὺς τὰ ὀνείρατα, καὶ ἀγανακτοίημεν ἄν, εἰ μὴ σφόδρα ἐπαινοίμεθα.

and teachers, sublime in the knowledge of divine things, and were for interpreting the Scripture, not by the letter, but after a spiritual way, propounding their own dreams and fancies, instead of the divine oracles, to the people.' This, he complains, was for want of that study and labour which ought to be the continual employment of persons who take upon them the offices of the sacred function. St. Chrysostom pursues this matter a little further, and shews the necessity of continual labour and study in a clergyman, from the work and business he has upon his hand, each part of which requires great sedulity and application. For, first[50], 'he ought to be qualified to minister suitable remedies to the several maladies and distempers of men's souls; the cure of which requires greater skill and labour than the cure of their bodily distempers. And this is only to be done by the doctrine of the Gospel, which therefore required that he should be intimately acquainted with every part of it.' Then, again[51], 'he must be able to stop the mouths of all gainsayers,—Jews, Gentiles, and heretics,—who had different arts and different weapons to assault the truth by; and unless he exactly understood all their fallacies and sophisms, and knew the true art of making a proper defence, he would be in danger not only of suffering each of them to make spoil and devastation of the Church, but of encouraging one error whilst he was opposing another.' For nothing was more common than for ignorant and unskilful disputants to run from one extreme to another; as he shews in the controversies which the Church had with the Marcionites and Valentinians on the one hand, and the Jews on the other, about the law of Moses; and the dispute about the Trinity between the Arians and Sabellians. Now unless a man was well skilled and exercised in the Word of God, and the true art and rules of disputation, which could not be attained without continual study and labour, he concludes, 'it would be impossible for him to maintain his ground, and the truth, as he ought, against so many subtle and wily

[50] De Sacerd. l. 4. c. 3. (t. 1. p. 407 e.) Ἡ ἀγνοεῖς, ὅτι καὶ πλείοσι τῆς ἡμετέρας σαρκὸς καὶ νόσοις καὶ ἐπιβουλαῖς τοῦτο ὑπόκειται τὸ σῶμα, κ. τ. λ.

[51] Ibid. c. 4. (p. 408 d.) Διὸ πολλὴν χρὴ ποιεῖσθαι τὴν σπουδὴν, ὥστε τὸν λόγον τοῦ Χριστοῦ ἐν ἡμῖν ἐνοικεῖν πλουσίως· οὐ γὰρ πρὸς ἓν εἶδος ἡμῖν μάχης ἡ παρασκευή· ἀλλὰ ποικίλος οὗτος ὁ πόλεμος, καὶ ἐκ διαφόρων συγκροτούμενος τῶν ἐχθρῶν· οὔτε γὰρ ὅπλοις ἅπαντες χρῶνται τοῖς αὐτοῖς, οὔτε ἑνὶ προσβάλλειν ἡμῖν μεμελετήκασι τρόπῳ. κ. τ. λ.

opposers.' Upon this he inculcates[52] that direction of St. Paul to Timothy, (1 Tim. 4. 13, 15.) "Give attendance to reading, to exhortation, to doctrine. Meditate upon these things: give thyself wholly to them; that thy profiting may appear to all men." Thirdly, he shews[53] 'how difficult and laborious a work it was to make continual homilies and set discourses to the people, who were become very severe judges of the preacher's composures, and would not allow him to rehearse any part of another man's work, nor so much as to repeat his own upon a second occasion. Here his task was something the more difficult, because men had generally nice and delicate palates, and were inclined to hear sermons as they heard plays, more for pleasure than profit. Which added to the preacher's study and labour; who, though he was to contemn both popular applause and censure, yet was also to have such a regard to his auditory, as that they might hear him with pleasure to their edification and advantage.' And[54] 'the more famed and eloquent the preacher was, so much the more careful and studious ought he to be, that he may always answer his character, and not expose himself to the censures and accusations of the people.' These and the like arguments does that holy Father urge, to shew how much it concerns men of the sacred calling to devote themselves to a studious and laborious life, that they may be the better qualified thereby to answer the several indispensable duties of their functions.

2. Some indeed, St. Chrysostom says, were ready to plead even the Apostle's authority for their ignorance, and almost value themselves for want of learning, because the Apostle says of himself that he was rude in speech. But to this the holy Father justly replies[55], 'that this was a misrepresentation of the

No plea allowed just apol gies for contrary.

[52] Ibid. l. 4. c. 8. (p. 413 b.) Ἄκουε δὲ καὶ τῷ μαθητῇ τί φησιν ἐπιστέλλων· κ. τ. λ.

[53] Ibid. l. 5. c. 1. (p. 415 a.) ...Τί οὖν τοῦτό ἐστιν; ὁ πολὺς πόνος ὁ περὶ τὰς διαλέξεις τὰς κοινῇ πρὸς τὸν λαὸν γινομένας ἀναλισκόμενος. Πρῶτον μὲν γὰρ τὸ πλέον τῶν ἀρχομένων οὐκ ἐθέλουσιν ὡς πρὸς διδασκάλους διακεῖσθαι τοὺς λέγοντας, ἀλλὰ τὴν τῶν μαθητῶν τάξιν ὑπερβάντες ἀντιλαμβάνουσι τὴν τῶν θεατῶν τῶν ἐν τοῖς ἔξωθεν καθεζομένων ἀγῶσι. .... Ἦν γὰρ τινὰ συμβῇ τῶν λεγόντων μέρος τι τῶν ἑτέροις πονηθέντων ἐνυφῆναι τοῖς λόγοις αὐτοῦ, πλείονα τῶν τὰ χρήματα κλεπτόντων ὑφίσταται ὀνείδη· κ. τ. λ.

[54] Ibid. c. 5. (p. 417 d.) Καὶ γὰρ ὅτ' ἂν [ὅταν, Savil.] πολλὴν ἐν τῷ λέγειν δύναμιν ἔχῃ .... οὐδὲ οὕτω τοῦ πονεῖσθαι διηνεκῶς ἀπήλλακται .... Ὥστε τοῖς σοφωτέροις μᾶλλον, ἢ τοῖς ἀμαθεστέροις, μείζων ὁ πόνος, κ. τ. λ.

[55] Ibid. l. 4. cc. 6. et 7. tot. (p. 410 d.) Τί οὖν ὁ Παῦλός, φησιν, οὐκ

great Apostle, and vainly urged to excuse any man's sloth and negligence in not attaining to those necessary parts of knowledge which the clerical life required. If the utmost heights and perfections of exotic eloquence had been rigidly exacted of the clergy; if they had been to speak always with the smoothness of Isocrates, or the loftiness of Demosthenes, or the majesty of Thucydides, or the sublimity of Plato; then indeed it might be pertinent to allege this testimony of the Apostle. But rudeness of style, in comparison of such eloquence, may be allowed; provided men be otherwise qualified with knowledge, and ability to preach and dispute accurately concerning the doctrines of faith and religion; as St. Paul was, whose talents in that kind have made him the wonder and admiration of the whole world; and it would be unjust to accuse him of rudeness of speech, who by his discourses confounded both Jews and Greeks, and wrought many into the opinion that he was the Mercury of the Gentiles. Such proofs of his power of persuasion were sufficient evidence that he had spent some pains in this way; and therefore his authority was fondly abused to patronise ignorance and sloth, whose example was so great a reproach to them.' Others again there were who placed the whole of a minister in a good life, and that was made another excuse for the want of knowledge and study, and the art of preaching and disputing. But to this St. Chrysostom also replies[56], 'that both these qualifications were required in a priest;

ἐσπούδασε ταύτην [Savil. *αὐτῷ*. al. *οἱ*] *κατορθωθῆναι τὴν ἀρετήν· κ. τ. λ.*

[56] Ibid. c. 8. (p. 413 b.) *Ἄκουε δὲ, κ. τ. λ.*—It. c. 9. (p. 414 b.) *Ὅταν δὲ ὑπὲρ δογμάτων ἀγὼν κινῆται, καὶ πάντες ἀπὸ τῶν αὐτῶν μάχωνται γραφῶν, ποίαν ἰσχὺν ὁ βίος ἐνταῦθα ἐπιδείξαι δυνήσεται; τί τῶν πολλῶν ὄφελος ἱδρώτων, ὅτ' ἂν μετὰ τοὺς μόχθους ἐκείνους, ἀπὸ τῆς πολλῆς τις ἀπειρίας εἰς αἵρεσιν ἐκπεσὼν ἀποσχισθῇ τοῦ σώματος τῆς ἐκκλησίας; ὅπερ οἶδα πολλοὺς παθόντας ἐγώ· ποῖον αὐτῷ κέρδος τῆς καρτερίας; οὐδέν· ὥσπερ οὖν οὐδὲ ὑγιοῦς πίστεως, τῆς πολιτείας διεφθαρμένης· Διὰ δὴ ταῦτα μάλιστα πάντων ἔμπειρον εἶναι δεῖ τῶν τοιούτων ἀγώνων, τὸν διδάσκειν τοὺς ἄλλους λαχόντα· εἰ γὰρ καὶ αὐτὸς ἕστηκεν ἐν ἀσφαλείᾳ, μηδὲν ὑπὸ τῶν ἀντιλεγόντων βλαπτόμενος, ἀλλὰ τὸ τῶν ἀφελεστέρων πλῆθος, τὸ τατόμενον ὑπ' ἐκείνῳ, ὅτ' ἂν ἴδῃ τὸν ἡγούμενον ἡττηθέντα, καὶ οὐδὲν ἔχοντα πρὸς τοὺς ἀντιλέγοντας εἰπεῖν, οὐ τὴν ἀσθένειαν τὴν ἐκείνου τῆς ἥττης, ἀλλὰ τὴν τοῦ δόγματος αἰτιῶνται σαθρότητα· καὶ, διὰ τὴν τοῦ ἑνὸς ἀπειρίαν, ὁ πολὺς λεὼς εἰς ἔσχατον ὄλεθρον καταφέρεται· κἂν γὰρ μὴ πάντῃ γένωνται τῶν ἐναντίων· ἀλλ' ὅμως, ὑπὲρ ὧν θαρρεῖν εἶχον, ἀμφιβάλλειν ἀναγκάζονται· καὶ οἷς μετὰ πίστεως προσήεσαν ἀκλινοῦς, οὐκ ἔτι μετὰ τῆς αὐτῆς δύνανται προσέχειν στερρότητος· ἀλλὰ τοσαύτη ζάλη τῶν ἐκείνων εἰσοικίζεται ψυχαῖς, ἀπὸ τῆς ἥττης τοῦ διδασκάλου· ὡς καὶ εἰς ναυάγιον τελευτῆσαι τὸ κακόν.*

he must not only do, but teach the commands of Christ, and guide others by his word and doctrine, as well as his practice: each of these had their part in his office, and were necessary to assist one another, in order to consummate men's edification. For otherwise, when any controversy should arise about the doctrines of religion, and Scripture was pleaded in behalf of error; what would a good life avail in this case? What would it signify to have been diligent in the practice of virtue, if after all a man, through gross ignorance and unskilfulness in the Word of Truth, fell into heresy, and cut himself off from the body of the Church? as he knew many that had done so. But admit a man should stand firm himself, and not be drawn away by the adversaries; yet when the plain and simple people who are under his care shall observe their leader to be baffled, and that he has nothing to say to the arguments of a subtle opposer, they will be ready to impute this not so much to the weakness of the advocate as the badness of his cause: and so, by one man's ignorance, a whole people shall be carried headlong to utter destruction; or at least be so shaken in their faith, that they shall not stand firm for the future.' St. Jerom[57] gives also a smart rebuke to this plea, telling his clerk 'that the plain and rustic brother should not value himself upon his sanctity, and despise knowledge; as neither should the artful and eloquent speaker measure his holiness by his tongue. For though of two imperfections, it was better to have a holy ignorance than a vicious eloquence; yet to consummate a priest, both qualifications were necessary, and he must have knowledge as well as sanctity to fit him for the several duties of his function.' Thus did those holy instructors plead against ignorance in the clergy, and urge them with proper arguments to engage them upon a studious life, which was the only way to furnish them with sufficient abilities to discharge many weighty duties of their function.

3. But it was not all sorts of studies that they equally recommended, but chiefly the study of the Holy Scriptures; as

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[57] Ep. 2. [al. 52.] ad Nepotian. (t. 1. p. 262 d.) Nec rusticus et tamen simplex frater ideo se sanctum putet, si nihil noverit: nec peritus et eloquens in lingua æstimet sanctitatem. Multoque melius est e duobus imperfectis rusticitatem sanctam habere, quam eloquentiam pectatricem.

Scriptures, and the approved writers and canons of the Church.

being the fountains of that learning which was most proper for their calling, and which upon all occasions they were to make use of. 'For,' as St. Chrysostom[58] observes, 'in the way of administering spiritual physic to the souls of men, the Word of God was instead of every thing that was used in the cure of bodily distempers. It was instrument, and diet, and air; it was instead of medicine, and fire, and knife; if caustics or incisions were necessary, they were to be done by this; and if this did not succeed, it would be in vain to try other means. This was it that was to raise and comfort the dejected soul, and take down and assuage the swelling tumors and presumptions of the confident. By this they were both to cut off what was superfluous and supply what was wanting, and do every thing that was necessary to be done in the cure of souls. By this all heretics and aliens were to be convinced, and all the plots of Satan to be countermined: and therefore it was necessary that the ministers of God should be very diligent in studying the Scriptures, that the word of Christ might dwell richly in them.' This was necessary to qualify them especially for preaching; since, as St. Jerom[59] rightly notes, 'the best commendation of a sermon was to have it seasoned well with Scripture rightly applied.' Besides, the custom of expounding the Scripture occasionally, many times as it was read, required a man to be well acquainted with all the parts of it, and to understand both the phrase and sense, and doctrines, and mysteries of it, that he might be ready upon all occasions to discourse pertinently and usefully upon them. And to this purpose some canons appointed[60], 'that their most vacant hours, the times of eating

[58] De Sacerd. l. 4. c. 3. (t. 1. p. 407 e.) Τοῦτο ὄργανον, τοῦτο τροφή, τοῦτο ἀέρων κρᾶσις ἀρίστη· τοῦτο ἀντὶ φαρμάκου, τοῦτο ἀντὶ πυρὸς, τοῦτο ἀντὶ σιδήρου· κἂν καῦσαι δέῃ καὶ τεμεῖν, τούτῳ χρήσασθαι ἀνάγκη· κἂν τοῦτο μηδὲν ἰσχύσῃ, πάντα οἴχεται τὰ λοιπά· τούτῳ καὶ κειμένην ἐγείρομεν, καὶ φλεγμαίνουσαν καταστέλλομεν τὴν ψυχὴν, καὶ τὰ περιττὰ περικόπτομεν, καὶ τὰ λείποντα πληροῦμεν, καὶ τὰ ἄλλα ἅπαντα ἐργαζόμεθα, ὅσα εἰς τὴν τῆς ψυχῆς ὑγιείαν ἡμῖν συντελεῖ· πρὸς μὲν γὰρ βίου κατάστασιν ἀρίστην, βίος ἕτερος εἰς τὸν ἴσον ἂν ἐναγάγοι ζῆλον· ὅτ' ἂν δὲ περὶ δόγματα νοσῇ ἡ ψυχὴ τὰ νόθα, πολλὴ τοῦ λόγου ἐνταῦθα ἡ χρεία, οὐ πρὸς τὴν τῶν οἰκείων ἀσφάλειαν μόνον, ἀλλὰ καὶ πρὸς τοὺς ἔξωθεν πολέμους.—Ibid. c. 4. (p. 408 c.) Διὼ πολλὴν χρῆ ποιεῖσθαι τὴν σπουδὴν, ὥστε τὸν λόγον τοῦ Χριστοῦ ἐν ἡμῖν ἐνοικεῖν πλουσίως.

[59] Ep. 2. ut supr. (t 1. p. 261 b.) Sermo presbyteri Scripturarum lectione conditus sit. Nolo te declamatorem esse et rabulam, garrulumque sine ratione, sed mysteriorum peritum, &c.

[60] C. Tolet. 3. c. 7. (t. 5. p. 1011 a.) .. Quia solent crebro mensis otiosæ

nd drinking, should not pass without some portion of Scripure read to them; partly to exclude all other trifling and unecessary discourse, and partly to afford them proper themes nd subjects to exercise themselves upon to edification and adantage.' St. Jerom[61] commends his friend Nepotian for this, that at all feasts he was used to propound something out f the Holy Scripture, and entertain the company with some seful disquisition upon it. And, next to the Scriptures, he mployed his time upon the study of the best ecclesiastical auhors, whom by continual reading and frequent meditations he ad so treasured up in the library of his heart, that he could epeat their words upon any proper occasion, saying, Thus pake Tertullian, thus Cyprian, so Lactantius, after this manner ilary, so Minucius Felix, so Victorinus, these were the words f Arnobius, and the like.' But among ecclesiastical writings, he Canons of the Church were always reckoned of greatest se; as containing a summary account not only of the Church's iscipline, and doctrine, and government, but also rules of life nd moral virtues; upon which account, as some laws directed hat the Canons should be read over at every man's ordination, o others[62] required the clergy afterward to make them part f their constant study together with the Holy Scripture. For he Canons were then a sort of directions for the pastoral care, nd they had this advantage of any private directions, that hey were the public voice and rubrics of the Church, and so nuch the more carefully to be read upon that account. In fter-ages, in the time of Charles the Great, we find some laws[63]

ibulæ interponi, in omni sacerdoli convivio lectio Scripturarum diinarum misceatur: per hoc enim animæ ædificantur in bonum, et ibulæ non necessariæ prohibentur.

[61] Epitaph. Nepotian. Ep. 3. ad eliodor. [al. Ep. 60. Virtutes Nepoani.] (t. 1. p. 336 d.) Sermo ejus er omne convivium de Scripturis iquid proponere, &c.

[62] C. Tolet. 4. c. 25. (t. 4. p. 1713 d.) ciant igitur sacerdotes Scripturas nctas, et Canones [meditentur], .. t ædificent cunctos tam fidei sciitia, quam operum disciplina.

[63] C. Turon. 3. c. 3. (t. 7. p. 1261 e.) Nulli episcopo liceat Canones, aut Librum Pastoralem a beato Gregorio papa editum, si fieri potest, ignorare, in quibus se debet unusquisque, quasi in quodam speculo, adsidue considerare.—C. Cabillon. 2. c. 1. (ibid. p. 1272 c.) .. Illas Scripturas notissimas habeant, quæ canonicæ appellantur, et earum sensum per patrum tractatus inquirant. Canones quoque intelligant et Librum beati Gregorii papæ de Cura Pastorali: et secundum formam ibidem constitutam et vivant et prædicent.

obliging the clergy to read, together with the Canons, Gregory's book *De Cura Pastorali.*

How far the study of heathen or heretical books was allowed.

4. As to other books and writings, they were more cautious and sparing in the study and use of them. Some canons[63] forbad a bishop to read heathen authors. Nor would they allow him to read heretical books but only upon necessity, that is, when there was occasion to confute them, or to caution others against the poison of them. But the prohibition of heathen learning, though it seem to be more peremptory, was to be understood likewise with a little qualification. For men might have very different views and designs in reading heathen authors. Some might read them only for pleasure, and make a business of that pleasure, to the neglect of Scripture and more useful learning; and all such were highly to be condemned. St. Jerom[64] says of these, 'that when the priests of God read plays instead of the Gospels, and wanton bucolics instead of the Prophets, and loved to have Virgil in their hands rather than the Bible, they made a crime of pleasure, and turned the necessity of youthful exercise into a voluntary sin.' Others could not relish the plain and unaffected style of Scripture, but conversed with heathen orators, to bring their language to a more polite or Attic dialect. And these also came under the censures of the Church. It is remarkable what Sozomen[65] tells us of Triphyllius, a Cyprian bishop, (who was one of these nice and delicate men who thought the style of Scripture not so elegant as it might be made), that having occasion, in a discourse before Spiridion and some other Cyprian bishops, to cite those words of our Saviour, Ἆρον σοῦ τὸ κράββατον καὶ περιπάτει, *Take up*

[63] C. Carth. 4. c. 16. (t. 2. p. 1201 c.) Ut episcopus gentilium libros non legat; hæreticorum autem pro necessitate et tempore.

[64] Ep. 146. [al. 21.] ad Damas. de Fil. Prod. t. 3. p. 129. (t. 1. p. 75 e.) .... Sacerdotes Dei, omissis Evangeliis et Prophetis, videmus comœdias legere, amatoria bucolicorum versuum verba canere, Virgilium tenere; et id quod in pueris necessitatis est, crimen in se facere voluptatis.

[65] L. 1. c. 11. (v. 2. p. 23. 40.) Συνάξεως ἐπιτελουμένης, ἐπιτραφεὶς Τριφύλλιος διδάξαι τὸ πλῆθος, ἐπεὶ τὸ ῥητὸν ἐκεῖνο παράγειν εἰς μέσον ἐδέησε, τὸ Ἆρόν σου τὸν κράββατον καὶ περιπάτει, σκίμποδα ἀντὶ τοῦ κραββάτου μεταβαλὼν τὸ ὄνομα εἶπε· καὶ ὁ Σπυρίδων ἀγανακτήσας, Οὐ σύγε, ἔφη, ἀμείνων τοῦ κράββατον εἰρηκότος, ὅτι ταῖς αὐτοῦ λέξεσιν ἐπαισχύνῃ κεχρῆσθαι· καὶ τοῦτο εἰπὼν, ἀπεπήδησε τοῦ ἱερατικοῦ θρόνου, τοῦ δήμου ὁρῶντος· ταύτῃ γὲ μετριάζειν παιδεύων τὸν τοῖς λόγοις ὠφρυωμένον.

thy bed and walk, he would not use the word κράββατον, but instead of it put σκίμποδα, as being a more elegant word in his opinion. To whom Spiridion, with an holy indignation and zeal, replied, "Art thou better than He that said κράββατον, that thou shouldest be ashamed to use his words?" thereby admonishing him to be a little more modest, and not give human eloquence the preference before the Holy Scriptures. Another sort of men conversed with heathen authors rather than the Scriptures, because they thought them more for their turn to arm them with sophistry to impose their errors upon the simplicity of others. As the anonymous author in Eusebius[66], who writes against the Theodosian heretics, observes of the leading men of that party, 'that, leaving the Holy Scriptures, they generally spent their time in Euclid and Aristotle, Theophrastus and Galen; using the quirks and sophisms of infidel writers to palliate their heresy, and corrupt the simplicity of the Christian faith.' Now in all these cases, the reading of heathen authors for such unworthy ends was very disallowable, because it was always done with a manifest neglect and contempt of the Holy Scriptures, and therefore upon such grounds deservedly forbidden by the canons of the Church. But then, on the other hand, there were some cases, in which it was very allowable to read Gentile authors, and the Church's prohibition did not extend to these. For sometimes it was necessary to read them, in order to confute and expose their errors, that others might not be infected thereby. Thus St. Jerom[67] observes of Daniel, 'that he was taught in the

[66] L. 5. c. 28. (v. 1. p. 254. 3.) Καταλιπόντες δὲ τὰς ἁγίας τοῦ Θεοῦ γραφὰς, γεωμετρίαν ἐπιτηδεύουσιν, ὡς ἂν ἐκ τῆς γῆς ὄντες, καὶ ἐκ τῆς γῆς λαλοῦντες, καὶ τὸν ἄνωθεν ἐρχόμενον ἀγνοοῦντες. Εὐκλείδης γοῦν παρά τισιν αὐτῶν φιλοπόνως γεωμετρεῖται· Ἀριστοτέλης δὲ καὶ Θεόφραστος θαυμάζονται· Γαληνὸς γὰρ ἴσως ὑπό τινων καὶ προσκυνεῖται· οἱ δὲ ταῖς τῶν ἀπίστων τέχναις εἰς τὴν τῆς αἱρέσεως αὐτῶν γνώμην ἀποχρώμενοι, καὶ τῇ τῶν ἀθέων πανουργίᾳ τὴν ἁπλῆν τῶν θείων γραφῶν πίστιν καπηλεύοντες· ὅτι μὴ δὲ ἐγγὺς πίστεως ὑπάρχουσι, τί δεῖ καὶ λέγειν;

[67] In Dan. c. 1. (t. 5. p. 625 c.) Qui de mensa regis et de vino potus ejus non vult comedere ne polluatur; utique si sciret ipsam sapientiam atque doctrinam Babyloniorum esse peccatum, nunquam acquiesceret dicere, quod non licebat. Discunt autem, non ut sequantur, sed ut judicent atque convincant. Quomodo si quis adversus mathematicos velit scribere, imperitus μαθήματος, risui pateat, et adversum philosophos disputans, si ignoret dogmata philosophorum. Discunt ergo ea mente doctrinam Chaldæorum, qua et Moyses omnem sapientiam Ægyptiorum didicerat.

knowledge of the Chaldæans, and Moses in all the wisdom of the Egyptians; which it was no sin to learn, so long as they did not learn it to follow it, but to censure and refute it.' St. Ambrose[68] says, 'he read some books that others might not read them; he read them to know their errors, and caution others against them.' This was one reason why sometimes heathen writers might be read by men of learning, in order to set a mark upon them. Another reason was, that many of them were useful and subservient to the cause of religion, either for confirming the truth of the Scriptures, and the doctrines of Christianity, or for exposing and refuting the errors and vanities of the heathens themselves. Thus St. Jerom[69] observes, 'that both the Greek and Latin historians, such as Diodorus Siculus, Polybius, Trogus Pompeius, and Livy, are of great use as well to explain as confirm the truth of Daniel's prophecies.' And St. Austin[70] says the same of the writings of Orpheus and the Sibyls, and Hermes, and other heathen philosophers, 'that as they said many things that were true both concerning God and the Son of God, they were in that respect very serviceable in refuting the vanities of the Gentiles.' Upon which account not only St. Austin and St. Jerom, but most of the ancient writers of the Church, were usually well versed in the learning of the Gentiles, as every one knows that knows any thing of them. St. Jerom, in one short Epistle[71], mentions the greatest part of those that lived before his own time, both Greeks and Latins, and says of them all in general, that their books are so filled

[68] L. 1. in Luc. Procem. c. 1. v. 1. (t. 1. p. 1265 d.) Legimus aliqua, ne legantur; legimus, ne ignoremus; legimus, non ut teneamus, sed ut repudiemus.

[69] Prolog. in Dan. (t. 5. p. 622.) Ad intelligendas extremas partes Danielis, multiplex Græcorum historia necessaria est. .. Et si quando cogimur literarum sæcularium recordari, et aliqua ex his dicere quæ olim omisimus; non nostræ est voluntatis, sed, ut ita dicam, gravissimæ necessitatis. Ut probemus ea, quæ a sanctis Prophetis ante multa sæcula prædicta sunt, tam Græcorum quam Latinorum et aliarum Gentium literis contineri.

[70] Cont. Faust. l. 13. c. 15. (t. 8. p. 260 a.) Sibylla porro, vel Sibyllæ, et Orpheus, et nescio quis Hermes, et si qui alii vates, vel theologi, vel sapientes, vel philosophi gentium de Filio Dei, aut de Patre Deo vera prædixisse seu dixisse perhibentur; valet quidem aliquid ad paganorum vanitatem revincendam, &c.

[71] Ep. 84. [al. 70.] ad Magn. (t. 1. p. 427 c.) In tantum philosophorum doctrinis atque sententiis suos referciunt libros, ut nescias quid in illis primum admirari debeas, eruditionem sæculi, an scientiam Scripturarum.

with the sentences and opinions of philosophers, that it is hard to say which is most to be admired, their secular learning, or their knowledge in the Scriptures. And herein is comprised the plain state of this matter;—the clergy were obliged, in the first place, to be very diligent in studying the Scriptures, and after them the Canons and approved writers of the Church, according to men's abilities, capacities, and opportunities; for the same measures could not be exacted of all. Beyond this, as there was no obligation on them to read human learning, so there was no absolute prohibition of it; but where it could be made to minister as an handmaid to divinity, and not usurp or encroach upon it, there it was not only allowed, but commended and encouraged. And it must be owned, that though the abuse of secular learning does sometimes great harm, yet the study of it rightly applied did very great service to religion in the primitive ages of the Church.

Of their piety and devotion their pul addresse to God.

5. From their private studies pass we on next to view them in their more public capacities, as the people's orators to God, and God's ambassadors to the people. In regard to which offices and character, I have shewed before[72], they were esteemed a sort of mediators, in a qualified sense, between God and men. In all their addresses to God as the people's orators their great care was to offer all their sacrifices and oblations of prayer and thanksgiving in such a rational, decent, and becoming way, as best suited the nature of the action; that is, with all that gravity and seriousness, that humility and reverence, that application of mind and intenseness and fervency of devotion, as both became the greatness of that Majesty to whom they addressed, and was proper for raising suitable affections in the people. This is the true meaning of that famous controverted passage in Justin Martyr's Second Apology, where, describing the service of the Church, and the manner of celebrating the eucharist, he says[73], 'the bishop sent up prayers and praises, *ὅση δύναμις, with the utmost of his abilities* to God.' Some misconstrue this passage, and interpret the abilities of the minister officiating so as if they meant no more but his invention, expression, or the like; making it by such a gloss to

[72] B. 2. ch. 19. s. 16. v. 1. p. 238. *εὐχὰς ὁμοίως καὶ εὐχαριστίας, ὅση*

[73] Apol. 2. (p. 98 e.) Ὁ *προεστὼς δύναμις αὐτῷ, ἀναπέμπει.*

become an argument against the antiquity of public liturgies, or set forms of prayer; whereas indeed it signifies here a quite different thing, viz. that spiritual vigour, or intenseness and ardency of devotion, with which the minister offered up the sacrifices of the Church to God; being such qualifications as are necessary to make our prayers and praises acceptable unto Him, who requires them to be presented with all our soul and might; which may be done in set forms, as well as any other way. And so Gregory Nazianzen and Justin Martyr himself use the phrase *ὅση δύναμις*, where they speak of set forms of praising and serving God; of which more hereafter in its proper place. St. Chrysostom[74] is very earnest in recommending this same duty to the priests of God, under the name of *σπουδὴ* and *εὐλάβεια*, *care* and *reverence*. 'With what exact care,' says he, 'ought he to behave himself, who goes in the name of a whole city, nay, in the name of the whole world, as their orator and ambassador to intercede with God for the sins of all? But especially when he invocates the Holy Ghost, and offers up *τὴν φρικωδεστάτην θυσίαν*, *the tremendous sacrifice* of the altar; with what purity, with what reverence and piety, should his tongue utter forth those words; whilst the angels stand by him, and the whole order of heavenly powers cries aloud, and fills the sanctuary in honour of Him, who is represented as dead, and lying upon the altar!' Thus that holy Father argues with a warmth and zeal suitable to the subject, and such as is proper to raise our devotion, and kindle our affections into an holy flame, whenever we present the supplications of the Church on earth to the Sacred Majesty of heaven.

en- 6. And this ardency of devotion was continually to be che-
f such lect- rished and preserved. To which purpose the Church had her

[74] De Sacerd. l. 6. c. 4. (t. 1. p. 424 a.) Τὸν γὰρ ὑπὲρ ὅλης τῆς πόλεως· καὶ τί λέγω πόλεως; πάσης μὲν οὖν τῆς οἰκουμένης πρεσβεύοντα, καὶ δεόμενον ταῖς ἁπάντων ἁμαρτίαις ἵλεων γενέσθαι τὸν Θεὸν .... ὁποῖόν τινα εἶναι χρή; .... ὅτ' ἂν δὲ καὶ τὸ Πνεῦμα τὸ Ἅγιον καλῇ, καὶ τὴν φρικωδεστάτην ἐπιτελῇ θυσίαν, καὶ τοῦ κοινοῦ πάντων συνεχῶς ἐφάπτηται Δεσπότου, ποῦ τάξομεν αὐτὸν, εἰπέ μοι; πόσην δὲ αὐτὸν ἀπαιτήσομεν καθαρότητα, καὶ πόσην εὐλάβειαν; ἐννόησον γὰρ, ὁποίας τὰς ταῦτα διακονουμένας χεῖρας εἶναι χρὴ, ὁποίαν τὴν γλῶτταν τὴν ἐκεῖνα προχέουσαν τὰ ῥήματα· τίνος δὲ οὐ καθαρωτέραν καὶ ἁγιωτέραν, τὴν τοσοῦτο πνεῦμα ὑποδεξαμένην ψυχήν; τότε καὶ ἄγγελοι παρεστήκασι τῷ ἱερεῖ, καὶ οὐρανίων δυνάμεων ἅπαν τάγμα βοᾷ· καὶ ὁ περὶ τὸ θυσιαστήριον πληροῦται τόπος εἰς τὴν τιμὴν τοῦ κειμένου.

daily sacrifices wherever it was possible to have them; and on these every clergyman was indispensably obliged to attend; and that under pain of suspension and deprivation, whether it was his duty to officiate or not. For so the first Council of Toledo[75] determined for the Spanish Churches, 'that if any presbyter or deacon, or other clerk, should be in any city or country where there was a church, and did not come to church to the daily sacrifice or service, he should no longer be reputed one of the sacred function.' The Council of Agde[76] orders such to be reduced to the communion of strangers, which at least implies suspension from their office. And the law of Justinian[77] punishes them with degradation, because of the scandal they give to the laity by such neglects or contempts of divine service. So careful were the ancient lawgivers of the Church to cut off all indecencies and abuses of this nature, and make the clergy provoking examples of piety to the people.

ed the daily service of the Church

7. Next to their office in addressing God as the people's orators, we are to view them as *God's ambassadors*, addressing themselves in his name to the people. Which they did by public preaching and private application: in both which their great care was to perform the duty of watchmen over God's flock, and of good stewards over his household. In their preaching, their only aim was to be the edification of the people. To which purpose the great masters of rules in this kind, Gregory Nazianzen, Chrysostom, and St. Jerom, lay down these few directions:

Rules about preaching to edification.

First, that the preacher be careful to make choice of an useful subject. Gregory Nazianzen[78] specifies the rule in some

[75] C. 5. (t. 2. p. 1224 b.) Presbyter, vel diaconus, qui intra civitatem fuerit, vel in loco in quo ecclesia est, si in ecclesiam ad sacrificium quotidianum non venerit, clericus non habeatur.

[76] C. 2. (t. 4. p. 1383 b.) Contumaces vero clerici, prout dignitatis ordo permiserit, ab episcopis corrigantur: et si qui prioris gradus elati superbia communionem fortasse contempserint, aut ecclesiam frequentare, vel officium suum implere neglexerint, peregrina eis communio tribuatur: ita ut, cum eos poenitentia correxerit, rescripti in matricula gradum suum dignitatemque recipiant.

[77] Cod. l. 1. tit. 3. de Episc. leg. 41. n. 10. (t. 4. p. 113.) ... Καὶ τοὺς μὴ εὑρισκομένους ἀμέμπτως ταῖς λειτουργίαις προσκαρτεροῦντας, ἔξω τοῦ κλήρου καθίστασθαι [κελεύομεν].

[78] Orat. 1. Apologet. de Fug. (t. 1. p. 15 d.) Ἐμοὶ δ' οὖν πρᾶγμα φαίνεται, οὐ τῶν φαυλοτάτων, οὐδὲ ὀλίγου τοῦ πνεύματος, διδόναι κατὰ καιρὸν ἑκάστῳ τοῦ λόγου τὸ σιτομέτριον, καὶ οἰκονομεῖν ἐν κρίσει τὴν ἀλήθειαν τῶν ἡμετέρων δογμάτων, ὅσα περὶ κόσμων ἢ κόσμου πεφιλοσόφηται, περὶ ὕλης, περὶ ψυχῆς, περὶ νοῦ καὶ τῶν νοερῶν φύσεων, βελτιόνων τε καὶ χειρόνων, περὶ τῆς τὰ πάντα συνδεού-

particular instances, such as the doctrine of the world's creation, and the soul of man; the doctrine of providence, and the restoration of man; the two covenants; the first and second coming of Christ, his incarnation, sufferings, and death; the resurrection, and end of the world, and future judgment, and different rewards of Heaven and Hell; together with the doctrine of the blessed Trinity, which is the principal article of the Christian faith. Such subjects as these are proper for edification, to build up men in faith and holiness, and the practice of all piety and virtue.

But then, secondly, they must be treated on in a suitable way; not with too much art or loftiness of style, but with great condescension to men's capacities, who must be fed with the word as they are able to bear it. This is what Gregory Nazianzen[79] so much commends in Athanasius, when he says, 'he condescended and stooped himself to the mean capacities, whilst to the acute his notions and words were more sublime.' St. Jerom[80] also observes upon this head, 'that a preacher's discourse should always be plain, intelligible, and affecting; and rather adapted to excite men's groans and tears, by a sense of their sins, than their admiration and applause, by speaking to them what neither they, nor he himself perhaps, do truly understand. For it is ignorant and unlearned men chiefly that affect to be admired for their speaking above the capacities of the vulgar. A bold forehead often interprets what he himself does not understand; and yet he has no sooner persuaded others to they know not what, but he assumes to himself the title of learning upon it. When yet there is nothing so easy as to deceive the ignorant multitude, who are always most prone

σης τε καὶ διεξαγούσης προνοίας, ὅσα τε κατὰ λόγον ἁπαντᾷν δοκεῖ, καὶ ὅσα παρὰ λόγον τὸν κάτω καὶ τὸν ἀνθρώπινον· ἔτι τε ὅσα περὶ τῆς πρώτης ἡμῶν συστάσεως καὶ τῆς τελευταίας ἀναπλάσεως, τύπων τε καὶ ἀληθείας καὶ διαθηκῶν, καὶ Χριστοῦ παρουσίας πρώτης τε καὶ δευτέρας, σαρκώσεώς τε καὶ παθημάτων, καὶ ἀναλύσεως· ὅσα τε περὶ ἀναστάσεως, περὶ τέλους, περὶ κρίσεως καὶ ἀνταποδόσεως σκυθρωποτέρας τε καὶ ἐνδοξοτέρας· τὸ κεφάλαιον, ὅσα περὶ τῆς ἀρχικῆς καὶ βασιλικῆς καὶ μακαρίας Τριάδος ὑπολεπτέον· κ. τ. λ.

[79] Orat. 21. de Laud. Athanas. (ibid. p. 396 d.) .... *Πεζὸς τοῖς ταπεινοτέροις, ὑψηλότερος τοῖς μετεωροτέροις* ....

[80] Ep. 2. [al. 52.] ad Nepotian. (t. 1. p. 261 b.) Docente te in ecclesia, non clamor populi, sed gemitus suscitetur; lacrymæ auditorum laudes tuæ sint.... Celeritate dicendi apud imperitum vulgus admirationem sui facere indoctorum hominum est. Attrita frons interpretatur sæpe quod nescit; et, cum aliis persuaserit, sibi quoque usurpat scientiam.

to admire what they do not understand.' Upon this account, St. Chrysostom[81] spends almost a whole book in cautioning the Christian orator against this failing; 'that he should not be intent on popular applause, but with a generous mind raise himself above it; seeking chiefly to advantage his hearers, and not barely to delight and please them. To this purpose,' he concludes, 'it would be necessary for him to despise both the applauses and censures of men, and all other things that might tempt him rather to flatter his hearers than edify them.' In a word, 'his chief end in all his composures should be to please God[82]: and then, if he also gained the praise of men, he might receive it; if not, he needed not to court it, nor torment himself that it was denied him. For it would be consolation enough for all his labours, that in adapting his doctrine and eloquence he had always sought to please his God.'

Thirdly. A third rule given in this case was, 'that men should apply their doctrine and spiritual medicines according to the emergent and most urgent necessities of their hearers. Which was the most proper duty of a watchman, to perceive with a quick eye where the greatest danger lay; which was men's weakest and most unguarded side; and then apply suitable remedies to their maladies and distempers.' St. Chrysostom[83], in speaking of this part of a minister's duty, says 'he should be *νηφάλιος καὶ διορατικὸς, watchful and perspicacious*, and have a thousand eyes about him, as living not for himself alone, but for a multitude of people. To live retired in a cell

[81] De Sacerd. l. 5. c. 1. (t. 1. p. 415 d.) *Γενναίας οὖν δεῖ κἀνταῦθα ψυχῆς, καὶ πολὺ τὴν ἡμετέραν ὑπερβαινούσης σμικρότητα· ἵνα τὴν ἄτακτον καὶ ἀνωφελῆ τοῦ πλήθους ἡδονὴν κολάζῃ, καὶ πρὸς τὸ ὠφελιμώτερον μετάγειν δύνηται τὴν ἀκρόασιν· ὡς αὐτῷ τὸν λαὸν ἕπεσθαι καὶ εἴκειν, ἀλλὰ μὴ αὐτὸν τῶν ἐκείνων ἄγεσθαι ἐπιθυμίαις. Τούτου δὲ οὐδαμῶς ἐστιν ἐπιτυχεῖν, ἀλλ' ἢ διὰ τούτοιν τοῖν δυοῖν, τῆς τε τῶν ἐπαίνων ὑπεροψίας, καὶ τῆς ἐν τῷ λέγειν δυνάμεως.*

[82] Ibid. c. 7. (p. 419 b.) .... *Ἐργαζόμενος τοὺς λόγους, ὡς ἂν ἀρέσειε τῷ Θεῷ, (οὗτος γὰρ αὐτῷ κανὼν καὶ ὅρος ἔστω μόνος τῆς ἀρίστης δημιουργίας ἐκείνων· μὴ κρότοι, μηδὲ εὐφημίαι·) εἰ μὲν ἐπαινεῖται καὶ παρὰ τῶν ἀνθρώπων, μὴ διακρουέσθω τὰ ἐγκώμια· μὴ παρεχόντων δὲ αὐτὰ τῶν ἀκροατῶν, μὴ ζητείτω, μηδὲ ἀλγείτω· ἱκανὴ γὰρ αὐτῷ παραμυθία τῶν πόνων, καὶ πάντων μείζων, ὅτ' ἂν ἑαυτῷ συνειδέναι δύνηται, πρὸς ἀρέσκειαν τοῦ Θεοῦ συντιθεὶς καὶ ῥυθμίζων τὴν διδασκαλίαν.*

[83] Ibid. l. 3. c. 12. (p. 389 b.) ... *Νηφάλιον εἶναι δεῖ τὸν ἱερέα, καὶ διορατικὸν, καὶ μυρίους πανταχόθεν κεκτῆσθαι τοὺς ὀφθαλμούς· ὡς οὐχ ἑαυτῷ μόνον, ἀλλὰ καὶ πλήθει ζῶντα τοσούτῳ, κ. τ. λ.*—Conf. l. 4. cc. 2. et 3. (p. 405 d.) *Ὥσπερ γὰρ τοῖς αἱρεθεῖσιν οὐκ αὐτάρκες, κ. τ. λ.*

is the business of a monk; but the duty of a watchman is to converse among men of all degrees and callings; to take care of the body of Christ, the Church, and have regard both to its health and beauty; curiously observing lest any spot or wrinkle or other defilement should sully the grace and comeliness of it. Now this obliged spiritual physicians to apply their medicines, that is, their doctrines, as the maladies of their patients chiefly required; to be most earnest and frequent in encountering those errors and vices which were most reigning, or which men were most in danger of being infected by.' And this is the reason why, in the homilies of the Ancients, we so often meet with discourses against such heresies as the world now knows nothing of; such as those of the Marcionites and Manichees, and many others, which it would be absurd to combat now in popular discourses; but then it was necessary to be done, because they were the prevailing heresies of the age, and men were in danger of being subverted by them. And it is further observable, that the most formidable heresies and prevailing factions, such as that of the Arians, when armed with secular power, could never either force or court the Catholic preachers into silence, to let the wolves devour the sheep by such a tame and base compliance. In this case no worldly motives could prevail with them, when they saw the danger, not to give warning of it. They thought they could not otherwise answer the character of watchmen, and stewards of the mysteries of God, since it was required in stewards that a man be found faithful.

f fidelity, iligence, nd prudence, in rivate addresses and pplications.

8. But their fidelity was not only expressed in their public discourses, but also in their private addresses and applications to men, who had either cut themselves off from the body of Christ by heresies and schisms, or by their sins made themselves unsound members of the body, whilst they seemed to continue of it. With what fidelity and meekness and diligence they addressed themselves to the former sort, we may learn from the good effects which their applications often had upon them. Theodoret tells of himself, in one place[84], that he had converted a thousand souls from the heresy of the Marcionites,

[84] Ep. 113. ad Leon. (t. 4. part. 2. p. 1190.) Τῆς θείας μοι χάριτος συνεργησάσης πλείους μὲν ἢ χιλίας ψυχὰς ἠλευθέρωσα τῆς Μαρκίωνος νόσου, πολλοὺς δὲ ἄλλους ἐκ τῆς Ἀρείου καὶ Εὐνομίου συμμορίας προσήγαγον τῷ δεσπότῃ Χριστῷ.

and many others from the heresies of Arius and Eunomius, in his own diocese. And in another place[85] he augments the number of converted Marcionites to ten thousand, whom, with indefatigable industry, in a diocese of forty miles in length and breadth, containing eight hundred churches in it, he had reduced from their strayings to the unity of the Catholic Church. What wonders also St. Austin wrought in Afric upon the Donatists and others the same way, by private letters and conferences and collations with them, the reader may learn from Possidius[86], the author of his Life, who frequently mentions his labours in this kind, and the great advantage that accrued to the Church by these means. For he lived to see the greatest part of the Manichees, Donatists, Pelagians, and Pagans converted to the Catholic Church. They were no less careful to apply themselves in private to persons within the Church, as occasion required. And here great art and prudence, as well as fidelity and diligence, was necessary to give success to their endeavours. 'For mankind,' as Nazianzen observes[87], 'is so va-

[85] Ep. 145. p. 1026. (ibid. p. 1251.) *Ἐγὼ θρηνῶ καὶ ὀδύρομαι, ὅτι ὃς πρώην τοῖς τοῦ Μαρκίωνος τὴν λύμην δεξαμένοις προσέφερον ἀποδείξεις, καὶ πλείους ἢ μυρίους διὰ τῆς θείας χάριτος πείσας προσήγαγον τῷ παναγίῳ βαπτίσματι, ταύταις νῦν τοῖς νομισθεῖσιν ὁμοπίστοις ἡ ἐπισκήψασα νόσος προσφέρειν καταναγκάζει.*

[86] Vit. August. c. 9. (t. 10. append. p. 263 c.) .... Epistolas privatas ad quoscumque ejusdem erroris episcopos et eminentes scilicet laicos dedit, ratione reddita admonens atque exhortans, ut vel ab illa se pravitate corrigerent, vel certe ad disputationes venirent.—C. 12. ult. et c. 13. (p. 265 e & f.) Qua diligentia et sancto studio multum crevit sancta ecclesia. Et his omnibus pro pace ecclesiæ gestis, Augustino Dominus et hic palmam dedit, et apud se justitiæ coronam reservavit: ac magis magisque, juvante Christo, de die in diem augebatur et multiplicabatur pacis unitas et ecclesiæ Dei fraternitas.—C. 18. (p. 270 a.) Et erat ille memorabilis vir, præcipuum Dominici corporis membrum, circa universalis ecclesiæ utilitatem solicitus semper ac pervigil. Et illi divinitus donatum est, ut de suorum laborum fructu, etiam in hac vita, gaudere provenisset, prius quidem in Hipponensi ecclesia et regione, cui maxime præsidebat unitate ac pace perfecta, deinde in aliis Africæ partibus, sive per se ipsum, sive per alios, et quos ipse dederat sacerdotes pullulasse, et multiplicatam fuisse Domini ecclesiam pervidens, illosque Manichæos, Donatistas, Pelagianistas, et Paganos ex magna parte defecisse, et ecclesiæ Dei sociatos esse congaudens.

[87] Orat. 1. Apologet. de Fug. (t. 1. pp. 13 d. seqq.) ..... *Τούτων γὰρ ἕκαστοι πλεῖον ἀλλήλων ἔστιν ὅτε ταῖς ἐπιθυμίαις καὶ ταῖς ὁρμαῖς, ἢ κατὰ τὰς τῶν σωμάτων ἰδέας διαφέροντες. εἰ δὲ βούλει, τὰς τῶν στοιχείων μίξεις καὶ κράσεις, ἐξ ὧν συνεστήκαμεν, οὐ ῥᾴστην ἔχουσι τὴν οἰκονομίαν· ἀλλ' ὥσπερ τοῖς σώμασιν οὐ τὴν αὐτὴν φαρμακείαν τε καὶ τροφὴν προσφέρονται, ἄλλοι δὲ ἄλλην, ἢ εὐεκτοῦντες, ἢ κάμνοντες, οὕτω καὶ τὰς ψυχὰς διαφόρῳ λόγῳ καὶ ἀγωγῇ θεραπεύονται· μάρτυρες δὲ τῆς θεραπείας, ὧν καὶ τὰ πάθη. τοὺς μὲν ἄγει*

rious and uncertain a sort of creature, that it requires the greatest art and skill to manage him. For the tempers of men's minds differ more than the features and lineaments of their bodies; and, as all meats and medicines are not proper for all bodies, so neither is the same treatment and discipline proper for all souls. Some are best moved by words, others by examples; some are of a dull and heavy temper, and so have need of the spur to exstimulate them; others that are brisk and fiery, have more need of the curb to restrain them. Praise works best upon some, and reproof upon others, provided each of them be ministered in a suitable and seasonable way; otherwise they do more harm than good. Some men are drawn by gentle exhortations to their duty; others by rebukes and hard

λόγος, οἱ δὲ ῥυθμίζονται παραδείγματι· οἱ μὲν δέονται κέντρων, οἱ δὲ χαλινοῦ· οἱ μὲν γάρ εἰσι νωθεῖς, καὶ δυσκίνητοι πρὸς τὸ καλὸν, οὓς τῇ πληγῇ τοῦ λόγου διεγερτέον· οἱ δὲ θερμότεροι τοῦ μετρίου τῷ πνεύματι, καὶ δυσκάθεκτοι ταῖς ὁρμαῖς, καθάπερ πῶλοι γενναῖοι πόρρω τῆς νύσσης θέοντες, οὓς βελτίους ἂν ποιήσειεν ἄγχων καὶ ἀνακόπτων ὁ λόγος. τοὺς μὲν ἐπαινος ὤνησεν, τοὺς δὲ ψόγος, ἀμφότερα μετὰ τοῦ καιροῦ· ἡ τοὐνάντιον, ἔβλαψεν ἔξω τοῦ καιροῦ, καὶ τοῦ λόγου· τοὺς μὲν παράκλησις κατορθοῖ, τοὺς δὲ ἐπιτίμησις, καὶ αὕτη τοὺς μὲν ἐν τῷ κοινῷ διελεγχομένους, τοὺς δὲ κρύβδην νουθετουμένους· φιλοῦσι γὰρ οἱ μὲν καταφρονεῖν τῶν ἰδίᾳ νουθετημάτων, πλήθους καταγνώσει σωφρονιζόμενοι· οἱ δὲ πρὸς τὴν ἐλευθερίαν τῶν ἐλέγχων ἀναισχυντεῖν, τῷ τῆς ἐπιτιμήσεως μυστηρίῳ παιδαγωγούμενοι, καὶ ἀντιδιδόντες τῆς συμπαθείας τὴν εὐπείθειαν. τῶν μὲν πάντα τηρεῖν ἐπιμελῶς ἀναγκαῖον μέχρι καὶ τῶν μικροτάτων, ὅσους τὸ οἴεσθαι λανθάνειν· ἐπειδὴ τοῦτο τεχνάζουσιν, ὡς σοφωτέρους ἐφύσησεν· τῶν δὲ ἔστιν ἃ καὶ παροραῖν ἄμεινον, ὥστε ὁρῶντας μὴ ὁρᾶν, καὶ ἀκούοντας μὴ ἀκούειν, κατὰ τὴν παροιμίαν· ἵνα μὴ πρὸς ἀπόνοιαν αὐτοὺς ἐρεθίζωμεν, τῷ φιλοπόνῳ τῶν ἐλέγχων καταβαπτίζοντες, καὶ τέλος, πρὸς πάντα ποιήσωμεν τολμηροὺς, τὸ τῆς πειθοῦς φάρμακον τὴν αἰδῶ διαλύσαντες. καὶ μέν τοι καὶ ὀργιστέον τισὶν οὐκ ὀργιζομένους, καὶ ὑπεροπτέον οὐχ ὑπερορῶντας, καὶ ἀπογνωστέον οὐκ ἀπογινώσκοντας, ὅσων τοῦτο ἡ φύσις ἐπιζητεῖ· καὶ ἄλλους ἐπιεικείᾳ θεραπευτέον καὶ ταπεινότητι, καὶ τῷ συμπροθυμεῖσθαι δὴ περὶ τὰς χρηστοτέρας ἐλπίδας. καὶ τοὺς μὲν νικᾶν, τῶν δὲ ἡττᾶσθαι πολλάκις λυσιτελέστερον· καὶ τῶν μὲν εὐπορίαν καὶ δυναστείαν, τῶν δὲ πενίαν ἡ δυσπραγίαν, ἡ ἐπαινεῖν ἢ ἀπεύχεσθαι· οὐ γὰρ ὥσπερ ἐπὶ τῆς ἀρετῆς ἔχει καὶ τῆς κακίας, τὴν μὲν καλλίστην εἶναι καὶ ὠφελιμωτάτην ἀεὶ καὶ πᾶσι, τὴν δὲ χειρίστην τε καὶ βλαβερωτάτην· οὕτω καὶ τῆς φαρμακείας τῆς ἡμετέρας, ἕν τι καὶ τὸ αὐτὸ ὑγιαινότατον, ἢ ἐπισφαλέστατον ἀεὶ καὶ τοῖς αὐτοῖς ἀποδέδεικται· οἷον τὸ αὐστηρὸν ἢ τὸ πρᾷον, ἢ τῶν ἄλλων, ὧν ἀπηριθμησάμην ἕκαστον· ἀλλὰ τοῖς μὲν τοῦτο καλὸν καὶ χρήσιμον, τοῖς δὲ τὸ ἐναντίον πάλιν, ὅπως ἄν, οἶμαι, συμπίπτουσιν οἵ, τε καιροὶ καὶ τὰ πράγματα, καὶ ὁ τῶν θεραπευομένων ἐπιδέχηται τρόπος. ἃ πάντα μὲν διελέσθαι λόγῳ καὶ συνιδεῖν ἐπὶ τὸ ἀκριβέστατον, ὥστε καὶ κεφαλαίῳ τὴν θεραπείαν περιλαβεῖν, ἀμήχανον, κἂν ἐπὶ πλεῖστον ἐξίκηταί τις ἐπιμελείας τε καὶ συνέσεως. ἐπὶ δὲ τῆς πείρας αὐτῆς καὶ τῶν πραγμάτων, τῷ θεραπευτῇ λόγῳ καὶ ἀνδρὶ καταφαίνεται ..... οὕτω μὲν δὴ τὰ τῶν παθῶν ἔχει τῶν ἡμετέρων, καὶ τοσοῦτον ἐνταῦθα τὸ ἔργον τῷ ἀγαθῷ ποιμένει, τῷ γνωστῶς γνωσομένῳ ψυχὰς ποιμνίου, καὶ ἀφηγησομένῳ κατὰ λόγον ποιμαντικῆς, τῆς γε ὀρθῆς καὶ δικαίας, καὶ τοῦ ἀληθινοῦ Ποιμένος ἡμῶν ἀξίας.

words must be driven to it. And even in the business of reproof, some are affected most with open rebuke, others with private. For some men never regard a secret reproof, who yet are easily corrected, if chastised in public. Others again cannot bear a public disgrace, but grow either morose, or impudent and implacable upon it; who, perhaps, would have hearkened to a secret admonition, and repaid their monitor with their conversion, as presuming him to have accosted them out of mere pity and love. Some men are to be so nicely watched and observed, that not the least of their faults are to be dissembled; because they seek to hide their sins from men, and arrogate to themselves thereupon the praise of being politic and crafty: in others it is better to wink at some faults, so that seeing we will not see, and hearing we will not hear, lest by too frequent chidings we bring them to despair, and so make them cast off modesty, and grow bolder in their sins. To some men we must put on an angry countenance, and seem to contemn them, and despair of them as lost and deplorable wretches, when their nature so requires it; others, again, must be treated with meekness and humility, and be recovered to a better hope by more promising and encouraging prospects. Some men must be always conquered, and never yielded to, whilst to others it will be better sometimes to concede a little. For all men's distempers are not to be cured the same way; but proper medicines are to be applied, as the matter itself, or occasion, or the temper of the patient will admit of. And this is the most difficult part of the pastoral office, to know how to distinguish these things nicely, with an exact judgment, and with as exact a hand to minister suitable remedies to every distemper. It is a masterpiece of art, which is not to be perfectly attained but by good observation, joined with experience and practice.' What our author thus here at large discourses by way of rule and theory, he in another place sums up more briefly in the example of the great Athanasius, whose pattern he proposes to men's imitation, as a living image of this admirable prudence and dexterity in dealing with men according to this great variety of tempers; telling us[88], 'that his design

[88] Orat. 21. de Laud. Athanas. (t. 1. p. 396 c.) ..... Τοὺς μὲν ἐπαινῶν, τοὺς δὲ πλήττων μετρίως· καὶ τῶν μὲν τὸ νωθρὸν διεγείρων, τῶν δὲ τὸ θερμὸν κατείργων· καὶ τῶν μὲν ὅπως μὴ πταίσωσι προμηθούμενος, τοὺς δὲ ὅπως δι-.

was always one and the same, but his methods various; praising some, moderately correcting others; using the spur to some dull tempers, and the reins to others of a more hot and zealous spirit; in his conversation, master of the greatest simplicity, but in his government master of the greatest artifice and variety of skill; wise in his discourses, but much wiser in his understanding, to adapt himself according to the different capacities and tempers of men.' Now the design of all this was, not to give any latitude or license to sin, but by all prudent and honest arts to discourage and destroy it. It was not to teach the clergy the base and servile arts of flattery and compliance; to become time-servers and men-pleasers, and soothe the powerful or the rich in their errors and vices; but only to instruct them in the different methods of opposing sin, and how, by joining prudence to their zeal, they might make their own authority most venerable, and most effectually promote the true ends of religion. St. Chrysostom[89] puts in this caution, in describing this part of a bishop's character: 'He ought to be wise, as well as holy; a man of great experience, and one that understands the world: and, because his business is with all sorts of men, he should be ποικίλος, *one that can appear with different aspects, and act with great variety of skill.*' 'But when I say this, I do not mean,' says he, 'that he should be a man of craft, or servile flattery, or a dissembling hypocrite; but a man of great freedom and boldness, who

ορθωθεῖεν πταίσαντες, μηχανώμενος· ἁπλοῦς τὸν τρόπον, πολυειδὴς τὴν κυβέρνησιν, σοφὸς τὸν λόγον, σοφώτερος τὴν διάνοιαν, πεζὸς τοῖς ταπεινοτέροις, ὑψηλότερος τοῖς μετεωροτέροις, φιλόξενος, ἱκέσιος, ἀποτρόπαιος· πάντα εἰς ἀληθῶς, ὅσα μεμερισμένως τοῖς ἑαυτῶν θεοῖς Ἑλλήνων παῖδες ἐπιψημίζουσι· προσθήσω δὲ καὶ ζύγιον, καὶ παρθένιον, καὶ εἰρηναῖον, καὶ διαλλακτήριον, καὶ πομπαῖον τοῖς ἐντεῦθεν ἐπειγομένοις.

[89] De Sacerd. l. 6. c. 4. (t. 1. p. 425 a.) Οὐ γὰρ μόνον καθαρὸν οὕτως, ὡς τηλικαύτης ἠξιωμένον διακονίας, ἀλλὰ καὶ λίαν συνετὸν, καὶ πολλῶν ἔμπειρον εἶναι δεῖ· καὶ πάντα μὲν εἰδέναι τὰ βιωτικὰ, τῶν ἐν μέσῳ στρεφομένων οὐχ ἧττον· πάντων δὲ ἀπηλλάχθαι μᾶλλον τῶν τὰ ὄρη κατειληφότων μοναχῶν. ἐπειδὴ γὰρ ἀνδράσιν αὐτὸν ὁμιλεῖν ἀνάγκη, καὶ γυναῖκας ἔχουσι, καὶ παῖδας τρέφουσι, καὶ θεράποντας κεκτημένοις, καὶ πλοῦτον περιβεβλημένοις πολὺν, καὶ δημόσια πράττουσι, καὶ ἐν δυναστείαις οὖσι· ποικίλον αὐτὸν εἶναι δεῖ· ποικίλον δὲ λέγω, οὐχ ὕπουλον, οὐ κόλακα, οὐχ ὑποκριτήν· ἀλλὰ πολλῆς μὲν ἐλευθερίας καὶ παρρησίας ἀνάμεστον, εἰδότα δὲ καὶ συγκατιέναι χρησίμως, ὅτ' ἂν ἡ τῶν πραγμάτων ὑπόθεσις τοῦτο ἀπαιτῇ· καὶ χρηστὸν εἶναι ὁμοῦ καὶ αὐστηρόν· οὐ γάρ ἐστιν ἑνὶ τρόπῳ χρῆσθαι τοῖς ἀρχομένοις ἅπασιν· ἐπειδὴ μηδὲ ἰατρῶν παισὶν ἑνὶ νόμῳ τοῖς κάμνουσι πᾶσι προσφέρεσθαι καλόν· μηδὲ κυβερνήτῃ μίαν ὁδὸν εἰδέναι τῆς πρὸς τὰ πνεύματα μάχης.

knows notwithstanding how to condescend and stoop himself for men's advantage, when occasion requires, and can be as well mild as austere. For all men are not to be treated in the same way: no physician uses the same method with all his patients.' The true mean and decorum, he thinks, which a bishop should observe in his converse and applications to men, is to keep between too much stiffness and abjectness. 'He must be grave[90] without pride; awful, but courteous; majestic, as a man of authority and power, yet affable and communicative to all. Of an integrity that cannot be corrupted, yet officious and ready to serve every man; humble, but not servile; sharp and resolute, but yet gentle and mild. By such prudence he will maintain his authority, and carry any point with men, whilst he studies to do every thing without hatred or favour, only for the benefit and edification of the Church.' We must reduce to this head of prudence, in making proper address and application to offenders, that direction given by St. Paul, and repeated in several ancient canons, that a bishop be *no smiter*, *μὴ πλήκτην*, which the twenty-seventh of those called the Apostolical Canons[91] thus paraphrases: 'If any bishop, presbyter, or deacon, smite either an offending Christian, or an injurious heathen, we order him to be deposed. For our Lord did not teach us this discipline, but the contrary: for he was smitten, but did not smite any; when he was reviled, he reviled not again; when he suffered, he threatened not.' Justinian forbids the same in one of his Novels[92], as a thing unbecoming the priests of God, to smite any man with their own hands. The word *πλήσσειν* signifies also *smiting with the tongue*, by reproachful,

[90] Ibid. l. 3. c. 16. (p. 395 c.) *Καὶ γὰρ καὶ σεμνὸν, καὶ ἄτυφον, καὶ φοβερὸν, καὶ προσηνῆ, καὶ ἀρχικὸν, καὶ κοινωνικὸν, καὶ ἀδέκαστον, καὶ θεραπευτικὸν, καὶ ταπεινὸν, καὶ ἀδούλωτον, καὶ σφοδρὸν, καὶ ἥμερον εἶναι δεῖ· ἵνα πρὸς ἅπαντα ταῦτα εὐκόλως μάχεσθαι δύνηται· καὶ τὸν ἐπιτήδειον μετὰ πολλῆς τῆς ἐξουσίας, κἂν ἅπαντες ἀντιπίπτωσι, παράγειν· καὶ τὸν οὐ τοιοῦτον μετὰ τῆς αὐτῆς ἐξουσίας, κἂν ἅπαντες συμπνέωσι, μὴ προσίεσθαι, ἀλλ' εἰς ἓν μόνον ὁρᾷν τὴν ἐκκλησιαστικὴν οἰκοδομήν· καὶ μηδὲν πρὸς ἀπέχθειαν ἢ χάριν ποιεῖν.*

[91] C. 27. [al. 26.] (Cotel. [c. 20.] v. 1. p. 440.) *Ἐπίσκοπον, ἢ πρεσβύτερον, ἢ διάκονον, τύπτοντα πιστοὺς ἁμαρτάνοντας, ἢ ἀπίστους ἀδικήσαντας, καὶ διὰ τοιούτων φοβεῖν ἐθέλοντα* [al. *θέλοντα*], *καθαιρεῖσθαι προστάσσομεν· οὐδαμοῦ γὰρ ὁ Κύριος ταῦτα* [al. *τοῦτο*] *ἡμᾶς ἐδίδαξε· τοὐναντίον δὲ αὐτὸς τυπτόμενος οὐκ ἀντέτυπτε· λοιδορούμενος οὐκ ἀντελοιδόρει· πάσχων οὐκ ἠπείλει.*

[92] Novel. 123. c. 11. (t. 5. p. 546.) Sed neque propriis manibus liceat episcopum aliquem percutere; hoc enim extraneum sacerdoti est.

bitter, and contumelious language, as St. Chrysostom, St. Jerom, and others understand it. In which sense also it was forbidden, as a thing indecent, and unbecoming the gravity and prudence of the Christian clergy.

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9. St. Chrysostom enlarges upon several other parts of prudence, which I need not here insist upon, because they have either already been mentioned, or will hereafter be considered in other places: such as prudence[93] in opposing heresies; prudence[94] in managing the virgins and widows, and the revenues of the Church; prudence[95] in hearing and determining secular causes; and prudence[96] in the exercise of discipline and church-censures, which last will be spoken to under another head. I shall here, therefore, only add one instance more of their prudence in allaying unnecessary disputes, which rose among Catholics, and men of the same opinion in the Church, which indeed was rather a complication of many noble virtues: prudence, candour, ingenuity, moderation, peaceableness, and charity, joined together, which like a constellation of the brightest qualities always shined with the greatest lustre. This is what Gregory Nazianzen chiefly admired in the conduct of Athanasius, and therefore he gives it the highest commendation and preference before all his other virtues, as thinking there was no one thing whereby he did greater service to the Church of God. It happened in the time of Athanasius, that the Catholics were like to be divided about mere words; a warm dispute arising about what names the Three Divine Persons were to be called by: some were for calling them only Τρία Πρόσωπα, *Three Persons*, to avoid Arianism; others called them Τρεῖς Ὑποστάσεις, *Three Hypostases*, to avoid Sabellianism. Now they all meant the same thing; but not understanding each other's terms, they mutually charged one another with the heresies of Arius and Sabellius. The one party, in the heat of disputation, could understand nothing by Three Hypostases but three substances or essences in the Arian sense; for they

[93] De Sacerd. l. 4. c. 4. tot. (t. 1. p. 408.) Διὸ πολλὴν χρὴ ποιεῖσθαι τὴν σπουδὴν, κ. τ. λ.

[94] Ibid. l. 3. c. 16. (p. 396 a.) Βούλει οὖν ἐπὶ τὴν τῶν χηρῶν προστασίαν ἴωμεν πρότερον, κ. τ. λ.

[95] Ibid. c. 18. (p. 399 e.) Τὸ δὲ τῶν κρίσεων μέρος, κ. τ. λ.

[96] Ibid. (p. 400 e. et p. 401 a.) Τί ἄν τις λέγοι τὰς λύπας, ἃς ὑπομένουσιν, ἡνίκα ἂν δέῃ τινὰ τοῦ τῆς ἐκκλησίας περικόψαι πληρώματος; κ. τ. λ.

made no distinction between hypostasis and essence, and therefore charged their opposites with Arianism. The other party were afraid that Τρία Πρόσωπα signified no more than nominal persons, in the sense of Sabellius, who himself had used those very terms in an equivocal sense to impose upon the vulgar, and therefore they inveighed against their adversaries as designing to promote Sabellianism. 'And so,' says Nazianzen[97], 'this little difference in words making a noise as if there had been difference in opinion, the love of quarrelling and contention fomenting the dispute, the ends of the earth were in danger of being divided by a few syllables. Which when Athanasius, the true man of God, and great guide of souls, both saw and heard, he could not endure to think of so absurd and unreasonable a division among the professors of the same faith, but immediately applied a remedy to the distemper. And how did he make his application? Having convened both parties, with all meekness and humility, and accurately weighed the intention and meaning of the words on both sides, after he found them agreeing in the things themselves, and not in the least differing in point of doctrine, he ended their dispute, allowing the use of both names, and tying them to unity of opinion.' 'This,' says our author, 'was a more advantageous act of charity to the Church, than all his other daily labours and discourses; it was more honourable than all his watchings and humicubations, and not inferior to his applauded flights and exiles.' And therefore he tells his readers, in ushering in the discourse[98], 'that he could not omit the relation, without

[97] Orat. 21. de Laud. Athanas. (t. 1. p. 395 ult. verb. et p. 396 a.) *Πίστεώς ἔδοξε διαφορὰ, ἡ περὶ τὸν ἦχον μικρολογία. Εἶτα Σαβελλισμὸς ἐνταῦθα ἐπενοήθη τοῖς τρισὶ προσώποις, καὶ Ἀρειανισμὸς ταῖς τρισὶν ὑποστάσεσι, τὰ τῆς φιλονεικίας ἀναπλάσματα. Εἶτα τί; προστιθεμένου μικροῦ τινὸς ἀεὶ τοῦ λυποῦντος, ὃ λυπηρὸν ἡ φιλονεικία ποιεῖ, κινδυνεύει συναπορραγῆναι ταῖς συλλαβαῖς τὰ πέρατα. Ταῦτα οὖν ὁρῶν καὶ ἀκούων ὁ μακάριος ἐκεῖνος, καὶ ὡς ἀληθῶς ἄνθρωπος τοῦ Θεοῦ καὶ μέγας τῶν ψυχῶν οἰκονόμος, οὐκ ᾤήθη δεῖν παριδεῖν τὴν ἄτοπον οὕτω καὶ ἄλογον τοῦ λόγου κατατομὴν, τὸ δὲ παρ' ἑαυτοῦ φάρμακον, ἐπάγει τῷ ἀρρωστήματι· πῶς οὖν τοῦτο ποιεῖ; προσκαλεσάμενος ἀμφότερα τὰ μέρη οὕτωσὶ πράως καὶ φιλανθρώπως, καὶ τὸν νοῦν τῶν λεγομένων ἀκριβῶς ἐξετάσας, ἐπειδὴ συμφρονοῦντας εὗρε καὶ οὐδὲν διεστῶτας κατὰ τὸν λόγον, τὰ ὀνόματα συγχωρήσας, συνδεῖ τοῖς πράγμασι· τοῦτο τῶν μακρῶν πόνων καὶ λόγων λυσιτελέστερον .... τοῦτο τῶν πολλῶν ἀγρυπνιῶν καὶ χαμευνιῶν προτιμότερον ..... τοῦτο τῶν ἀοιδίμων ἐξοριῶν καὶ φυγῶν τοῦ ἀνδρὸς ἐπάξιον.*

[98] [Ibid. (p. 395 b.) *Ὁ δέ μοι μάλιστα τοῦ ἀνδρὸς θαυμάζειν ἔπεισε, καὶ ζημίᾳ τὸ σιωπᾶν διὰ τὸν καιρὸν μάλιστα, πολλὰς ποιοῦντα τὰς δια-*

injuring them, especially at a time when contentions and divisions were in the Church; for this action of his would be an instruction to them that were then alive, and of great advantage, if they would propound it to their own imitation; since men were prone to divide not only from the impious, but from the orthodox and pious, and that not only about little and contemptible opinions, which ought to make no difference, but about words that tended to one and the same sense.' The caution is of use in all ages; and had it always been strictly observed, it would have prevented many wild disputes and fierce contentions about words in the Christian Church.

heir and rage in nding truth.

10. But now we are to observe, on the other hand, that as they were eminent for their candour and prudence in composing unnecessary and verbal disputes; so, where the cause was weighty, and any material point of religion concerned, they were no less famous for their zeal and courage, in standing up in the defence of truth against all opposers. It was neither the artifice and subtlety, nor the power and malice of their enemies could make them yield, where they thought the faith was in danger to be destroyed. 'In other cases,' says Nazianzen[99], 'there is nothing so peaceable, so moderate as Christian bishops, but in this case they cannot bear the name of moderation, to betray their God by silence and sitting still: but here they are exceeding eager warriors, and fighting champions, that are not to be overcome.' He does not mean, that the weapons of their warfare were carnal; that they used any pious frauds, or plotted treasons or rebellions, or took up arms in defence of religion; but that, with an undaunted courage and brave resolution, they stood up firm in defence of truth; and mattered not what names they were called by,—contentious, unpeaceable, immoderate, factious, turbulent, incendiaries,—or any thing of the like nature, nor yet what they suffered in any

στάσεις, τοῦτο ἔτι προσθήσω τοῖς εἰρημένοις· γένοιτο γὰρ ἄν τι παίδευμα καὶ τοῖς νῦν ἡ πρᾶξις, εἰ πρὸς ἐκεῖνον βλέποιμεν· ὡς γὰρ ὕδατος ἑνὸς τέμνεται, οὐ τοῦτο μόνον ὅσον ἡ χεὶρ ἀφῆκεν ἀρυομένη, ἀλλὰ καὶ ὅσον τῇ χειρὶ περιεσχέθη τῶν δακτύλων ἐκρέον, οὕτω καὶ ἡμῶν οὐχ ὅσον ἀσεβὲς σχίζεται μόνον, ἀλλὰ καὶ ὅσον εὐσεβέστερον, οὐ περὶ δογμάτων μόνον μικρῶν, καὶ παρορᾶσθαι ἀξίων· ἧττον γὰρ ἂν ἦν τοῦτο δεινόν, ἀλλ' ἤδη καὶ περὶ ῥημάτων εἰς τὴν αὐτὴν φερόντων διάνοιαν. *Grischov.*]

[99] Ibid. (p. 388 d.) Οἱ κἂν τἆλλα ὦσιν εἰρηνικοί τε καὶ μέτριοι, τοῦτό γε οὐ φέρουσιν ἐπιεικεῖς εἶναι, Θεὸν προδιδόναι διὰ τῆς ἡσυχίας ἀλλὰ, καὶ λίαν εἰσὶν ἐνταῦθα πολεμικοί τε καὶ δύσμαχοι.

kind, whilst they contended for that faith which was once delivered to the saints. Church-history abounds with instances of this nature; but it will be sufficient to exemplify the practice of this virtue in a single instance, which Gregory Nazianzen[1] gives us in the Life of St. Basil, where he relates a famous dialogue that passed between Modestus, the Arian governor under Valens, and that holy man. Modestus tried all arts to bring him over to the party, but, finding all in vain, he at last threatened him with severity. 'What?' said he, 'dost thou not fear this power, which I am armed with?' 'Why should I fear?' said Basil; 'what canst thou do, or what can I suffer?' 'What canst thou suffer?' said the other; 'Many things that are in my power: confiscation of thy goods, banishment, torment, and death.' 'But thou must threaten me with something else,' said Basil, 'if thou canst, for none of these things can touch me. As for confiscation of goods, I am not liable to it; for I have nothing to lose, unless thou wantest these tattered and threadbare garments, and a few books, which is all the estate I am possessed of. For banishment, I know not what it

[1] Orat. 20. de Laud. Basil. (p. 349 d.) Τί δαὶ, οὐ φοβῇ τὴν ἐξουσίαν; φησί· μὴ τί γένηται; μηδὲ τί πάθω; μὴ τί τῶν πολλῶν ἔν, ἃ τῆς ἐμῆς δυναστείας ἐστί; τίνα ταῦτα; γνωριζέσθω γὰρ ἡμῖν, δήμευσιν, ἐξορίαν, βασάνους, θάνατον, εἴ τί ἄλλο, φησὶν, ἀπείλει· τούτων γὰρ οὐδὲν ἡμῶν ἅπτεται. καὶ τὸν εἰπεῖν· πῶς καὶ τίνα τρόπον; ὅτι τοι, ἔφη, δημεύσει μὲν οὐχ ἁλωτὸς ὁ μηδὲν ἔχων, πλὴν εἰ τούτων χρήσεις τῶν τρυχίνων μου ῥακίων καὶ βιβλίων ὀλίγων, ἐν οἷς ὁ πᾶς ἐμοὶ βίος· ἐξορίαν δὲ οὐ γινώσκω, ὁ μηδενὶ τόπῳ περιγραπτὸς, καὶ μηδὲ ταύτην ἔχων ἐμὴν, ἣν οἰκῶ νῦν, καὶ πᾶσαν ἐμὴν, εἰς ἣν ἂν ῥιφῶ· μᾶλλον δὲ Θεοῦ πᾶσαν, οὗ πάροικος ἐγὼ καὶ παρεπίδημος· αἱ βάσανοι δὲ, τί ἂν λάβοιεν, οὐκ ὄντος σώματος· πλὴν εἰ τὴν πρώτην λέγοις πληγήν, ταύτης γὰρ σὺ μόνης κύριος· ὁ δὲ θάνατος εὐεργέτης· καὶ γὰρ θᾶττον πέμψει με πρὸς Θεὸν, ὃν ζῶ καὶ πολιτεύομαι, καὶ τῷ πλείστῳ τέθνηκα, καὶ πρὸς ὃν ἐπείγομαι πόρρωθεν. τούτοις καταπλαγέντα τὸν ὕπαρχον, οὐδεὶς, φάναι, μέχρι τοῦ νῦν οὕτως ἐμοὶ διείλεκται, καὶ μετὰ τοσαύτης τῆς παρρησίας, τὸ ἑαυτοῦ προσθεὶς ὄνομα. οὐδὲ γὰρ ἐπισκόπῳ, φησὶν, ἴσως ἐνέτυχες, ἢ πάντως ἂν τοῦτον διειλέχθη τὸν τρόπον, ὑπὲρ τοιούτων ἀγωνιζόμενος. τἆλλα μὲν γὰρ ἐπιεικεῖς ἡμεῖς, ὕπαρχε, καὶ παντὸς ἄλλου ταπεινότεροι, τοῦτο τῆς ἐντολῆς κελευούσης, καὶ μὴ ὅτι τοσούτῳ κράτει, ἀλλὰ μηδὲ τῶν τυχόντων ἐνὶ τὴν ὀφρῦν αἴροντες. οὗ δὲ Θεὸς τὸ κινδυνευόμενον, καὶ προκείμενον, τἆλλα περιφρονοῦντες, πρὸς ἑαυτὸν μόνον βλέπομεν· πῦρ δὲ καὶ ξίφος, καὶ θῆρες, καὶ οἱ τὰς σάρκας τέμνοντες ὄνυχες, τρυφὴ μᾶλλον ἡμῖν εἰσιν ἢ κατάπληξις. πρὸς ταῦτα ὕβριζε, ἀπείλει, ποίει πᾶν ὅ, τι ἄν ᾖ βουλομένῳ σοι, τῆς ἐξουσίας ἀπόλαυε· ἀκουέτω ταῦτα καὶ βασιλεὺς, ὡς ἡμᾶς γε οὐχ αἱρήσεις· οὐδὲ πείσεις συνθέσθαι τῇ ἀσεβείᾳ, κἂν ἀπειλῇς χαλεπώτερα. ἐπειδὴ ταῦτα εἰπεῖν καὶ ἀκοῦσαι τὸν ὕπαρχον, καὶ τὴν ἔνστασιν μαθεῖν τοῦ ἀνδρὸς, οὕτως ἀκατάπληκτον καὶ ἀήττητον, τὸν μὲν ἔξω πέμψαι καὶ μεταστήσασθαι, οὐκ ἔτι μετὰ τῆς αὐτῆς ἀπειλῆς, ἀλλά τινος αἰδοῦς καὶ ὑποχωρήσεως· αὐτὸν δὲ τῷ βασιλεῖ προσελθόντα, ὡς εἶχε τάχους, ἠττήμεθα, βασιλεῦ, εἰπεῖν, τοῦ τῆσδε προβεβλημένου τῆς ἐκκλησίας.

means, for I am tied to no place; I shall esteem every country as much my own as that where I now dwell; for the whole earth is the Lord's, and I am only a pilgrim and a stranger in it. As for torments, what can they do to him who has not a body that can hold out beyond the first stroke? and for death, it will be a kindness to me, for it will but so much the sooner send me unto God, to whom I live, and do the duty of my station; being in a great measure already dead, and now of a long time hastening unto him.' The governor was strangely surprised at this discourse, and said, 'No man ever talked at this free and bold rate to Modestus before.' 'Perhaps,' said Basil, 'thou didst never meet with a bishop before; for, if thou hadst, he would have talked just as I do, when he was put to contend about such matters as these. In other things we are mild and yielding, and the humblest men on earth, as our laws oblige us to be; we are so far from shewing ourselves supercilious or haughty to magistrates in power, that we do not do it to persons of the meanest rank and condition. But when the cause of God is concerned, or in danger, then indeed we esteem all other things as nothing, and fix our eyes only upon him. Then fire and sword, wild beasts, and instruments of torture to tear off our flesh, are so far from being a terror, that they are rather a pleasure and recreation to us. Therefore reproach and threaten us, do your pleasure, use your power to the utmost, and let the emperor know all this: yet you shall never conquer us, or bring us to assent to your impious doctrine, though you threaten us ten thousand times more than all this.' The governor hearing this, and finding him to be a man of invincible and inflexible courage, dismissed him now not with threatenings, but with a sort of reverence and submission; and went and told the emperor, that the bishop of that church was too hard for them all: for his courage was so great, his resolution so firm, that neither promises nor threatenings could move him from his purpose.

Nor was it only open violence they thus bravely resisted, but also the more crafty attempts of the enemies of truth, who many times went artificially to work against it; partly by blackening the characters of its champions and defenders, and representing them as base and intolerable men; and partly by smoothing their own character, and pretending unity

n faith with the orthodox, and that their designs were only designs of peace, to remove unscriptural words and novel terms out of the way, that all men might be of the same opinion. These were the two grand artifices of the Arian party, whereby the leading and politic men among them,—Eusebius of Nicomedia, Valens, Ursacius, and others,—always laboured to overthrow the truth. Upon this account Athanasius was forced to undergo a thousand calumnies and slanderous reproaches: he was accused to Constantine, as one that assumed to himself imperial authority to impose a tax upon Egypt; as one guilty of murder in cutting off the hand of Arsenius, a Meletian bishop; as guilty of treason in siding with Philumenus, the rebel, and furnishing him with money; as an enemy to the public for attempting to hinder the transportation of corn from Egypt to Constantinople: which accusation so far prevailed upon the emperor, that he banished him to Triers upon it. In the next reign he was accused again of repeated murders; and of sacrilege, in diverting Constantine's liberality to the widows of Egypt and Libya to other uses; of treason, in joining interest with Magnentius, the tyrant; and many other such charges were spitefully and diabolically levelled against him. St. Basil was likewise variously accused both by professed enemies and pretended friends; who, as is usual in such cases, brought charges against him directly contrary to one another. Some accused him of tritheism, for defending the doctrine of Three Hypostases against the Sabellians; others, of Semiarianism, or heterodoxy in the article about the divinity of the Holy Ghost, because in his church he sometimes used a different form of doxology from what was used in other churches. Some again accused him of Arianism, because he had received Eustathius of Sebastia into communion upon his professing the Catholic faith; others said, he communicated with Apollinaris, the heretic, because upon some occasions he wrote letters to him. Thus were two of the greatest and best of men maliciously traduced and wounded in their reputation; both indeed for the same cause, but with this difference, that the one was prosecuted by open enemies without the Church, the other chiefly by secret enemies within; of whom therefore he had reason to take up the prophet's complaint, and say, "These are the wounds with which I was wounded in

the house of my friends." And these were such temptations as might have unsettled any weak and wavering minds, and made them turn their backs upon religion: but true zeal is above temptation, and can equally despise the wounds of the sword and the wounds of the tongue; having always the consolation, which Christ gives in his Gospel, ready at hand to support it, "Blessed are ye, when men shall revile you, and persecute you, and shall say all manner of evil against you falsely, for my sake. Rejoice, and be exceeding glad: for great is your reward in heaven." Such examples shew us, that innocence itself cannot always exempt men from calumny, but sometimes is accidentally the occasion of it. But then it has this advantage, that being joined with a suitable zeal, it never sinks under the weight and pressure of its burden, but always comes off conqueror at the last, as we see in the instances now before us.

The other artifice, which I said the Arians used to destroy the Faith, was the specious pretence of peace and unity. The politic and crafty men among them, in the time of Constantius, pretended that they had no quarrel with the Catholic doctrine of the Trinity itself, but only were aggrieved at the novel and unscriptural words, such as the ὁμοούσιον, *consubstantial*, &c., which the Council of Nice had used to express it by. These, they said, were dividing terms, and the cause of all the quarrel and combustion; and therefore they still urged the removing these terms, as the great stumblingblock, out of the way, that the peace and unity of the Church might follow upon it. But Athanasius and other wise Catholics easily perceived whither this sly stratagem tended; being very sensible that their design was not against the bare terms, but the Faith itself, and therefore they always stoutly and zealously opposed it. Nor could the Arians ever gain this point upon the Catholics, till at last, in the Council of Ariminum, anno 359, by great importunity, and clamours for unity and peace, they were prevailed upon to sink the word *consubstantial*, and draw up a new creed without it, yet, as they thought, containing the very same doctrine, and in as full terms as could be expressed, save that the word *consubstantial* was not in it. But here, it must be owned, these Catholic bishops were wanting in their zeal, as they themselves were quickly after convinced. For no sooner was this concession made, but the Arians immediately gave out;

and boasted over all the world, that the Nicene faith was condemned, and Arianism established in a general council, though nothing was less intended by the Catholic bishops that were present at it. But now they were sensible they had made a false step, by suffering themselves thus to be imposed upon by designing men: they now saw, that they ought to have stuck to the Nicene terms, as well as the faith, since the Faith itself so much depended on them. They now began to complain of the fraud, and asked pardon of their brethren for their want of foresight and caution, in a case so tender and material. St. Jerom, who gives us this account of the whole transaction, from the Acts of the Synod and other records extant in his time, brings them in making this apology for themselves: 'The bishops,' says he[2], 'who had been imposed upon by fraud at Ariminum, and who were reputed heretics without being conscious to themselves of any heresy, went about every where protesting by the body of Christ, and all that is sacred in the Church, that they suspected no evil in their creed: they thought the sense had agreed with the words, and that men had not meant one thing in their hearts, and uttered another thing with their lips. They were deceived by entertaining too good an opinion of base and evil men. They did not suppose the priests of Christ could so treacherously have fought against Christ. In short, they lamented their mistake now with tears, and offered to condemn as well their own subscription, as all the Arian blasphemies.' Any one, that reads St. Jerom carefully, will easily perceive that these bishops were no Arians, nor ever intended to subscribe an Arian creed; but their fault was want of zeal in parting with the Nicene Creed, to take another instead of it without the word *consubstantial;* which though they subscribed in the simplicity of their hearts as an orthodox creed, (and indeed the words, as St. Jerom describes them, in

[2] Dial. cont. Lucifer. t. 2. p. 143. (t. 2. p. 191 d.) Concurrebant episcopi, qui, Ariminensibus dolis irretiti, sine conscientia hæretici ferebantur, contestantes corpus Domini, et quicquid in ecclesia sanctum est, se nihil mali in sua fide suspicatos. 'Putavimus,' aiebant, 'sensum congruere cum verbis; nec in ecclesiis, ubi simplicitas, ubi pura confessio est, aliud in corde clausum esse, aliud in labiis proferri timuimus. Decepit nos bona de malis existimatio. Non sumus arbitrati sacerdotes Christi adversus Christum pugnare.' Multaque alia, quæ brevitatis studio prætereo, flentes asserebant, parati et subscriptionem pristinam et omnes Arianorum blasphemias condemnare.

their plain sense are sound and orthodox, as St. Jerom says in their excuse,) yet the Arians put an equivocal and poisonous sense upon them: giving out, after the Council was ended, that they had not only abolished the word *consubstantial*, but with it condemned the Nicene faith also. Which was strange surprising news to the bishops that had been at Ariminum. 'Then,' says St. Jerom, '*ingemuit totus orbis, et Arianum se esse miratus est,—the whole world groaned, and was amazed to think she should be reputed Arian.*' That is, the Catholic bishops of the whole world, for there were three hundred of them present at that Council, were amazed to find themselves so abused, and represented as Arians, when they never intended in the least to confirm the Arian doctrine. But now by this the reader will be able to judge, what kind of zeal the Catholic Church required then in her clergy; viz., that they should not only contend for the Faith itself, but also for those Catholic forms and ways of expressing it, which had been prudently composed and settled in general Councils, as a barrier against heretics; the giving up of which to subtle and dangerous adversaries would always give them advantage to make fiercer attacks upon the Faith itself, and prove destructive to the Catholic cause; as those bishops found by woeful experience, who were concerned in the concession made at Ariminum. It is candour indeed, when good Catholics are divided only about words, to bring them to a right understanding of one another, which will set them at peace and unity again; but it is tameness to give up the main bulwarks of the Faith to fallacious adversaries and designing men, whose arts and aims, however disguised, are always known to strike at the foundation of religion. And therefore, though no man was ever more candid than Athanasius towards mistaken Catholics, yet neither was any more zealous in opposing the arts and stratagems of the Arian party; always sticking close to the definition of the Nicene Council, and never yielding that any tittle or syllable of that Creed should be erased or altered.

Of their obligations to maintain the unity of the Church; and of the measure of

11. Whilst I am upon this head, I cannot but take notice of the obligations the clergy lay under to maintain the unity of the Church, both in faith and discipline, and what penalties were inflicted on such as made a breach therein, whether by falling into heresy or schism themselves, or giving encourage-

ment to them in others. I shall not need to state the nature of Church-unity and communion in this place any further than by saying, that, to maintain the purity of the Catholic faith, and live under the discipline and government of a Catholic bishop, who himself lived in communion with the Catholic Church, were then as it were the two characteristic notes of any man's being in the communion of the Church; and therefore, as every member was obliged to maintain the unity of the Church in both these parts, so much more the clergy, who were to be the chief guardians of it. And if they failed in either kind, that is, if they lapsed either into heresy or schism, by the laws of the Church they were to be deposed from their office; and though they repented and returned to the unity of the Church again, yet they were not to act in their former station, but to be admitted to communicate only in the quality of laymen. This was the rule of the African Church in the time of Cyprian, as appears from the Synodical Epistle[3] of the Council of Carthage, to which his name is prefixed. For, writing to Pope Stephen, they tell him their custom was to treat such of the clergy as were ordained in the Catholic Church, and afterward stood up perfidiously and rebelliously against the Church, in the same manner as they did those that were first ordained by heretics; that is, they admitted them to the peace of the Church, and allowed them the communion of laymen, but did not permit them to officiate again in any order of the clergy. And this, he says[4], they did to put a mark of distinction between those that always stood true to the Church and those that deserted it. Yet if any considerable advantage accrued to the Church,

such as fell into heresy or schism.

[3] Ap. Cypr. Ep. 72. p. 197. (p. 305.) Addimus plane, et adjungimus, frater carissime, consensu et auctoritate communi, ut etiam si qui presbyteri, aut diaconi, qui vel in ecclesia catholica prius ordinati fuerint, et postmodum perfidi ac rebelles contra ecclesiam steterint, vel apud hæreticos a pseudoepiscopis et antichristis contra Christi dispositionem profana ordinatione promoti sint, et contra altare unum atque divinum sacrificia foris falsa ac sacrilega offerre conati sint, eos quoque hac conditione suscipi cum revertuntur, ut communicent laici; et satis habeant, quod admittuntur ad pacem, qui hostes pacis exstiterint, nec debere eos revertentes ea apud nos ordinationis et honoris arma retinere, quibus contra nos rebellaverint.

[4] [Ibid. (p. ead.) Satis est talibus revertentibus veniam dari: non tamen debet in domo fidei perfidia promoveri. Nam quid bonis et innocentibus atque ab ecclesia non recedentibus reservamus; si eos, qui a nobis recesserint et contra ecclesiam steterint, honoramus? *Grischov.*]

by the return of such an heretic or schismatic, as if he brought over any considerable part of the deluded people with him; or if he was generally chosen by the Church, or the like; in such cases the rule was so far dispensed with, that the deserter might be admitted to his pristine dignity, and be allowed to officiate in his own order again. Upon this account Cornelius, bishop of Rome, received Maximus the presbyter[5] to his former honour upon his return from the Novatian schism. And in after ages both the Novatians and Meletians were particularly favoured with this privilege by the Council of Nice, and the Donatists by the African fathers in the time of St. Austin, as I have had occasion to note more than once before[6]. But if they continued obstinate in their heresy or schism, then many times an anathema was pronounced against them, as in the second Council of Carthage. 'If a presbyter,' says the canon[7], 'that is reproved or excommunicated by his bishop, being puffed up with pride, shall presume to offer the oblation in a separate assembly, or set up another altar against him, let him be anathema.' The Council of Antioch[8], and those called the Apo-

[5] Cornel. Ep. 46. [al. 49.] ad Cypr. p. 93. (p. 235.)... Maximum presbyterum locum suum agnoscere jussimus.—See other instances in Socrates, l. 7. c. 3. (v. 2. p. 349. 13.) Ὁ Ἀγαπητὸς, ὃν προεστάναι τῆς Μακεδονίου θρησκείας ἔφην, ἐπὶ ἀγαθὴν ἦλθεν ἐπίνοιαν· βουλευσάμενος γὰρ ἅμα τῷ αὐτοῦ κλήρῳ παντὶ, καὶ προσκαλεσάμενος τὸν ὑπ' αὐτοῦ λαὸν, πείθει τὴν τοῦ ὁμοουσίου πίστιν προσδέξασθαι· καὶ τοῦτο καταστήσας, εὐθὺς ὡς εἶχε σὺν πλήθει πολλῷ, μᾶλλον δὲ σὺν παντὶ λαῷ, ἐπὶ τὴν ἐκκλησίαν ὥρμησεν· εὐχήν τε ἐπιτελέσας, καταλαμβάνει τὸν θρόνον, ἐν ᾧ εἰώθει ὁ Θεοδόσιος προκαθέζεσθαι· ἑνώσας δὲ τὸν λαὸν, καὶ τοῦ λοιποῦ τὴν τοῦ ὁμοουσίου πίστιν διδάσκων, τῶν ὑπὸ Συνάδα ἐκκλησιῶν ἐγκρατὴς ἐγένετο.

[6] B. 4. ch. 7. ss. 7 and 8. v. 2. pp. 98 and 100.

[7] C. 8. (t. 2. p. 1830 a.) Si quis forte presbyter ab episcopo suo correptus vel excommunicatus, tumore vel superbia inflatus, putaverit separatim Deo sacrificia offerenda, vel aliud erigendum altare... non exeat impunitus.

[8] C. 4. (ibid. p. 564 b.) Εἴ τις ἐπίσκοπος ὑπὸ συνόδου καθαιρεθεὶς, ἢ πρεσβύτερος, ἢ διάκονος ὑπὸ τοῦ ἰδίου ἐπισκόπου, τολμήσειέν τι πρᾶξαι τῆς λειτουργίας, εἴ τε ὁ ἐπίσκοπος κατὰ τὴν προάγουσαν συνήθειαν, εἴτε ὁ διάκονος, μηκέτι ἐξὸν εἶναι αὐτῷ, μηδ' ἐν ἑτέρᾳ συνόδῳ ἐλπίδα ἀποκαταστάσεως, μήτε ἀπολογίας χώραν ἔχειν· ἀλλὰ δὲ τοὺς κοινωνοῦντας αὐτῷ πάντας ἀποβάλλεσθαι τῆς ἐκκλησίας, καὶ μάλιστα, εἰ μαθόντες τὴν ἀπόφασιν τὴν κατὰ τῶν προειρημένων ἐξενεχθεῖσαν τολμήσειαν αὐτοῖς κοινωνεῖν.—Ibid. c. 5. (ibid. c.) Εἴ τις πρεσβύτερος, ἢ διάκονος, καταφρονήσας τοῦ ἐπισκόπου τοῦ ἰδίου, ἀφώρισεν ἑαυτὸν τῆς ἐκκλησίας, ἢ ἰδίᾳ συνήγαγεν, καὶ θυσιαστήριον ἔστησεν, καὶ τοῦ ἐπισκόπου προσκαλεσαμένου ἀπειθοίη, καὶ μὴ βούλοιτο αὐτῷ πείθεσθαι μηδὲ ὑπακούειν καὶ πρῶτον καὶ δεύτερον καλοῦντι· τοῦτον καθαιρεῖσθαι παντελῶς, καὶ μηκέτι θεραπείας τυγχάνειν, μηδὲ δύνασθαι λαμβάνειν τὴν ἑαυτοῦ τιμήν· εἰ δὲ παραμένοι θορυβῶν καὶ ἀναστατῶν τὴν ἐκκλησίαν, διὰ τῆς ἔξωθεν ἐξουσίας ὡς στασιώδη αὐτὸν ἐπιστρέφεσθαι.

stolical Canons[9], have several decrees of the like nature. Yea, so careful were the clergy to be of the unity of the Church, that they were not to give any encouragement to heretics, or schismatics, or excommunicated persons, by communicating with them in prayer or other holy offices of the Church, or so much as frequenting their society, feasting with them, or the like. But I do not enlarge upon these things here, because being matters of discipline, they will come again to be considered under that head in another place.

I have now gone through some of the chief general duties which more immediately concerned the office and function of the clergy; and by mixing public rules with private directions and great examples, have made such an essay towards the idea and character of a primitive clerk as may, I hope, in some things excite both the emulation and curiosity of many of my readers, who may be concerned to imitate the pattern I have been describing. If here it be not drawn so full, or so exactly to the life in all its beauties as they could wish, they will find their account in satisfying their curiosity by having recourse to the fountains themselves, from whence these materials were taken. For many things, that might here have been added, were purposely omitted for fear of drawing out this part of the discourse to a greater length than would consist with the design and measures of the present undertaking. And I had rather be thought to have said too little than too much upon this head, that I might not cloy, but leave an edge upon the appetite of the inquisitive reader.

CHAP. IV.

An account of some other laws and rules, which were a sort of out-guards and fences to the former.

1. HAVING thus far discoursed both of such laws as related to the life and conversation of the primitive clergy, and of those that more immediately concerned the duties and offices of their function, I come now to speak of a third sort of laws, which

No clergyman allowed to desert or relinquish his station

[9] C. 32. [al. 31.] (Cotel. [c. 25.] v. 1. p. 441.) *Εἴ τις πρεσβύτερος, ἢ διάκονος ἀπὸ ἐπισκόπου γένηται ἐν ἀφορισμῷ, [al. ἀφωρισμένος,] τοῦτον μὴ ἐξεῖναι παρ' ἑτέρου δεχθῆναι [al. δέχεσθαι] ἀλλ' ἢ παρὰ τοῦ ἀφορίσαντος αὐτὸν, εἰ μὴ ἂν κατὰ συγκυρίαν τελευτήσῃ ὁ ἀφορίσας αὐτὸν ἐπίσκοπος.*

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were, like the Jews' *sepimenta legis, a sort of bye-laws and rules made for the defence and guard of the two former.* Among these we may reckon such laws as were made to fix the clergy to their proper business and calling; such as that which forbad any clergyman to desert or relinquish his station without just grounds or leave granted by his superiors. In the African Church, as has been shewed before[10], from the time that any man was made a reader, or entered in any of the lower orders of the Church, he was presumed to be dedicated to the service of God, so as thenceforth not to be at liberty to turn secular again at his own pleasure. And much more did this rule hold for bishops, presbyters, and deacons. Therefore Cyril of Alexandria, as he is cited by Harmenopulus[11], says in one of his canons, 'that it was contrary to the laws of the Church for any priest to give in a libel of resignation: for, if he be worthy, he ought to continue in his ministry; if he be unworthy, he should not have the privilege of resigning, but be condemned and ejected.' The Council of Chalcedon[12] orders all such to be anathematized 'as forsook their orders to take upon them any military office or secular dignity, unless they repented, and returned to the employment which, for God's sake, they had first chosen.' The Council of Tours[13] in like manner decrees, 'that whoever of the clergy desert their order and office, to follow a secular life and calling again, shall be punished with excommunication.' The Civil Law was also very severe upon such deserters. By an order of Arcadius and Honorius[14] they are condemned to serve *in curia* all their lives, that they might never have the privilege of resuming

[10] B. 3. ch. 1. s. 5. v. 1. p. 307.

[11] Epitom. ap. Leunclav. Jus Gr.-Rom. (t. 1. p. 11. col. sinistr.) Παρὰ τοὺς ἐκκλησιαστικούς ἐστι θεσμούς, τὸ λιβέλλους παραιτήσεων προσάγειν τινὰς τῶν ἱερουργῶν· εἰ γὰρ ἄξιοι, λειτουργείτωσαν· εἰ δὲ μή, μὴ παραιτείσθωσαν, ἀλλ' ὡς κατεγνωσμένοι ἐξίτωσαν.

[12] C. 7. (t. 4. p. 759 a.) Τοὺς ἅπαξ ἐν κλήρῳ κατειλεγμένους, ἢ καὶ μονάζοντας, ὡρίσαμεν, μήτε ἐπὶ στρατείαν, μήτε ἐπὶ ἀξίαν κοσμικὴν ἔρχεσθαι· ἢ τοῦτο τολμῶντας, καὶ μὴ μεταμελομένους, ὥστε ἐπιστρέψαι ἐπὶ τοῦτο, ὃ διὰ Θεὸν πρότερον εἵλοντο, ἀναθεματίζεσθαι.

[13] C. 5. (ibid. p. 1051 d.) Si quis vero clericus, relicto officii sui ordine, laicam voluerit agere vitam, vel se militiæ tradiderit, excommunicationis pœna feriatur.

[14] Cod. Theod. l. 16. tit. 2. de Episc. et Cler. leg. 39. (t. 6. p. 78.) Si quis professum sacræ religionis sponte dereliquerit, continuo sibi eum curia vindicet: ut liber illi ultra ad ecclesiam recursus esse non possit.

the clerical life again. And by a law of Justinian's[15], both monks and clerks so deserting were to forfeit whatever estate they were possessed of to the church or monastery to which they belonged.

Yet in some cases a resignation was allowed of.

2. But this rule, as it was intended for the benefit of the Church, to keep the clergy to their duty, so when the benefit of the Church, or any other reasonable cause, required the contrary, might be dispensed with; and we find many such resignations or renunciations practised, and some allowed by general Councils. For not to mention the case of disability by reason of old age, sickness, or other infirmity, in which it was usual for bishops to turn over their business to a coadjutor, of which I have given a full account in a former book[16], there were two other cases which come nearer to the matter in hand. One was, when a bishop, through the obstinacy, hatred, or disgust of any people, found himself incapable of doing them any service, and that the burden was an intolerable oppression to him; in that case, if he desired to renounce, his resignation was accepted. Thus Gregory Nazianzen renounced the see of Constantinople, and betook himself to a private life, because the people grew factious, and murmured at him as being a stranger. And this he did with the consent and approbation of the general Council of Constantinople, as not only the historians Theodoret[17] and Socrates[18], but he himself[19] testifies in

[15] Cod. Justin. l. 1. tit. 3. de Episc. leg. 54. (t. 4. p. 140.) Quod si illi monasteria aut ecclesias relinquant, atque mundani fiant, omne ipsorum jus ad monasterium aut ecclesiam pertinet.

[16] B. 2. ch. 13. s. 4. v. 1. p. 157.

[17] L. 5. c. 8. (v. 3. p. 202. 20.) Ὁ δὲ θεῖος παρεκάλει Γρηγόριος περὶ συμφωνίας συνηθροισμένους τὴν πρὸς ἀλλήλους ὁμόνοιαν προτιμῆσαι τῆς ἑνὸς ἀνδρὸς ἀδικίας. Ἐγώ τε γὰρ, ἔφη, τῶν πλειόνων φροντίδων ἀπαλλαγεὶς τὴν ἐμοὶ φίλην ἀπολήψομαι ἡσυχίαν, καὶ ὑμεῖς τὴν τριπόθητον εἰρήνην μετὰ τὸν μακρὸν ἐκεῖνον καὶ χαλεπὸν ἀπολήψεσθε πόλεμον· τῶν γὰρ λίαν ἀποπωτάτων, ἅρτι τῶν πολεμικῶν ἀπαλλαγέντας βελῶν, ἀλλήλους βάλλειν, καὶ τὴν οἰκείαν ἀναλίσκειν ἰσχύν· ἐπίχαρτοι γὰρ οὕτω τοῖς δυσμενέσιν ἐσόμεθα. Ἄνδρα δὴ οὖν ἐπιζητήσαντες ἀξιέπαινον καὶ νοῦν ἔχοντα, τῶν φροντίδων τὸ πλῆθος καὶ δέξασθαι καὶ εὖ διαθεῖναι δυνάμενον, ἀρχιερέα προβάλλεσθε. Ταύταις οἱ ἄριστοι ποιμένες ταῖς ὑποθήκαις πεισθέντες, Νεκτάριον εὐπατρίδην ἄνδρα, καὶ περιφανείᾳ γένους κοσμούμενον, καὶ τοῖς τῆς ἀρετῆς εἴδεσι λαμπρυνόμενον, ἐπίσκοπον τῆς μείζονος ἐκείνης ἐχειροτόνησαν πόλεως.

[18] L. 5. c. 7. (v. 2. p. 267. 30.) Τότε δὲ Γρηγόριος ὁ Ναζιανζοῦ μετατιθεὶς ἔνδον τῆς πόλεως ἐν μικρῷ εὐκτηρίῳ τὰς συναγωγὰς ἐποιεῖτο· ᾧτινι ὕστερον οἱ βασιλεῖς, μέγιστον οἶκον εὐκτήριον προσσυνάψαντες, Ἀναστασίαν ὠνόμασαν. Γρηγόριος μὲν οὖν, ἀνὴρ ἐλλόγιμος καὶ εὐλαβείᾳ τοὺς καθ' ἑαυτὸν ὑπερβάλλων, γνοὺς διαγογγύζοντας τινὰς ὡς εἴη ὑπερόριος, ἀσμένως τὴν τοῦ βασιλέως παρουσίαν δεξάμενος, τὴν ἐν Κωνσταντινουπόλει διαγωγὴν παρητήσατο.

[19] Greg. Naz. Orat. 32. passim.

many places of his writings. After the same manner, Theodoret[20] says, Meletius, the famous bishop of Antioch, when he was bishop of Sebastia, in Armenia, was so offended with the rebellious temper and contumacy of a perverse and froward people, that he abandoned them, and retired likewise to a private life. So Theodorus Lector[21] tells us how Martyrius, bishop of Antioch, being offended at the factiousness of his people and clergy, upon the intrusion of Peter Fullo, renounced his church with these words: 'A contumacious clergy, a rebellious people, a profane church,—I bid adieu to them all, reserving to myself the dignity of priesthood.' Another case was, when in charity a bishop resigned, or shewed himself willing to resign, to cure some inveterate schism. Thus Chrysostom[22] told his people, 'that if they had any suspicion of him, as if he were an usurper, he was ready to quit his government when they pleased, if that was necessary to preserve the unity of the Church.' And so Theodoret tells us[23], that in the dispute between Flavian and Evagrius, the two bishops of Antioch, when Theodosius, the emperor, sent for Flavian, and ordered him to go and have his cause decided at Rome, he bravely answered,

(Vid. præcipue t. 1. p. 527 a.) Δότε μοι τὴν χάριν ταύτην, μετὰ εὐχῶν ἡμᾶς ἀποπέμψατε· ..... δότε μοι τὸ γράμμα τῆς ἀφέσεως, ὥσπερ τοῖς στρατιωτικοῖς, κ.τ.λ.—Carm. de Vit. sua. (t. 2. p. 26 d.)

Ἡμῖν δὲ συγχωρήσατ' ἄθρονον βίον,
Τὸν ἀκλεῆ μέν, ἀλλ' ὅμως ἀκίνδυνον·
Καθήσομ' ἐλθὼν οἷ κακῶν ἐρημία.
Κρεῖσσον γὰρ, ἢ τοῖς πλησίον μεμιγμένον,
Μήτ' ἄλλον ἕλκειν πρὸς τὸ βούλημ' ἰσχύειν,
Μήτ' αὐτὸν ἄλλοις συμφέρεσθ', οὗ μὴ λόγος.
Δεῦρ' ὅστις οἶδε τὸν θρόνον, προσβαινέτω.

[20] L. 2. c. 31. (v. 3. p. 118. 20.)... Κατ' ἐκεῖνον δὲ τὸν καιρὸν Μελέτιος ὁ θεσπέσιος πόλιν τινὰ τῆς Ἀρμενείας ἰθύνων, εἶτα τῶν ἀρχομένων τὸ δυσήνιον δυσχεράνας, ἡσυχίαν ἦγεν, ἑτέρωθι διατρίβων.

[21] L. 1. (ibid. p. 567. 27.) Πρὸς βασιλέα ἐλθὼν Μαρτύριος σὺν πολλῇ τιμῇ ἀπελύθη, σπουδῇ καὶ παραινέσει Γενναδίου· ἐλθὼν δὲ εἰς Ἀντιόχειαν, καὶ βλέπων Ἀντιοχεῖς ταραχαῖς καὶ στάσεσι χαίροντας, καὶ Ζήνωνα τούτοις συμπράττοντα, ἀπετάξατο τῇ ἐπισκοπῇ ἐπ' ἐκκλησίας, εἰπών, Κλήρῳ ἀνυποτάκτῳ καὶ λαῷ ἀπειθεῖ, καὶ ἐκκλησίᾳ ἐρρυπωμένῃ ἀποτάττομαι, φυλάττων ἐμαυτῷ τὸ τῆς ἱερωσύνης ἀξίωμα.

[22] Hom. 11. in Eph. p. 1110. (t. 11. p. 89 c.) Εἰ μὲν οὖν περὶ ἡμῶν ταῦτα ὑποπτεύετε, ἕτοιμοι παραχωρῆσαι τῆς ἀρχῆς ὅτῳπερ ἂν βούλοισθε· μόνον ἐκκλησία ἔστω μία.

[23] L. 5. c. 23. (v. 3. p. 225. 19.) Εἰ μὲν τῆς πίστεως, ὦ βασιλεῦ, τῆς ἐμῆς ὡς οὐκ ὀρθῆς κατηγορεῦσί τινες, ἢ τὸν βίον φασὶν ἱερωσύνης ἀνάξιον, καὶ αὐτοῖς χρήσομαι τοῖς κατηγόροις κριταῖς, καὶ τὴν παρ' ἐκείνων ἐκφερομένην ψῆφον δέξομαι· εἰ δὲ περὶ θρόνου καὶ προεδρίας ζυγομαχοῦσιν, οὔτε δικάσομαι, οὔτε τοῖς λαβεῖν βουλομένοις ἀντιμαχέσομαι· ἀλλ' ἐκστήσομαι, καὶ τῆς προεδρίας ἀφέξομαι· τοιγάρτοι δὸς ᾧ βούλει τὸν Ἀντιοχέων θρόνον, ὦ βασιλεῦ.

'Great sire, if any accuse my faith as erroneous, or my life as unqualifying me for a bishopric, I will freely let my accusers be my judges, and stand to their sentence whatever it be: but if the dispute be only about the throne and government of the church, I shall not stay for judgment, nor contend with any that has a mind to it, but freely recede, and abdicate the throne of my own accord. And you, sire, may commit the see of Antioch to whom you please.' The emperor looked upon this as a noble and generous answer; and was so affected with it, that, instead of obliging him to go to Rome, he sent him home again, and bade him go feed the church committed to his care; nor would he ever after hearken to the bishops of Rome, though they often solicited him to expel him. There is one instance more of this nature, which I cannot omit, because it is such an example of self-denial, and despising of private interest for the public good, and peace and unity of the Church, as deserves to be transmitted to posterity, and to be spoken of with the highest commendations. It was the proposal which Aurelius, bishop of Carthage, and St. Austin, with the rest of the African bishops, made to the Donatists, at the opening of the Conference of Carthage[24]; that, to put an end to the schism, wherever there was a Catholic and a Donatist bishop in the same city, they should both of them resign, and suffer a new one to be chosen. 'For why,' say they, 'should we scruple to offer the sacrifice of such an humility to our Redeemer? Did he descend from heaven to assume our nature, and make us his members? and shall we make any doubt to descend from our chairs, to prevent his members being torn to pieces by a cruel schism? We bishops are ordained for the people of Christ: what therefore is most conducive to the peace of Christian

[24] Die. 1. c. 16. (CC. t. 2. p. 1352 e.) Quid enim dubitemus Redemptori nostro sacrificium istius humilitatis offerre? An vero ille de cœlis in membra humana descendit, ut membra ejus essemus, et nos, ne ipsa ejus membra crudeli divisione lanientur, de cathedris descendere formidamus? Propter nos nihil sufficientius, quam Christiani fideles et obedientes simus: hoc ergo semper simus. Episcopi autem propter Christianos populos ordinamur: quod ergo Christianis populis ad Christianam pacem prodest, hoc de nostro episcopatu faciamus. Si servi utiles sumus, cur Domini æternis lucris, pro nostris temporalibus sublimitatibus, invidemus? Episcopalis dignitas fructuosior nobis erit, si gregem Christi magis deposita collegerit quam retenta disperserit. Nam qua fronte in futuro sæculo promissum a Christo sperabimus honorem, si Christianum in hoc sæculo noster honos impedit unitatem.

people, we ought to do in reference to our episcopacy. If we be profitable servants, why should we envy the eternal gain of our Lord for our own temporal honours? Our episcopal dignity will be so much the more advantageous to us, if by laying it aside we gather together the flock of Christ, than if we disperse his flock by retaining it. And with what face can we hope for the honour which Christ has promised us in the world to come, if our honours in this world hinder the unity of his Church.' By this we see there were some cases, in which it was lawful for men to renounce even the episcopal office, and betake themselves to a private life; the grand rule being, in these and all other cases, to do what was most for the benefit and edification of the Church, and sacrifice private interest to the advantage of the public.

l cases sometimes nted in h cases.

3. In these cases, a bishop after he had renounced was not to intermeddle with the affairs of the Church, to ordain, or perform any offices of the like nature, unless he was called to assist by some other bishop, or was commissioned by him as his delegate; yet he was allowed the title, and honour, and communion of a bishop, as the general Council of Ephesus[25] determined it should be in the case of Eustathius, bishop of Perga and metropolitan of Pamphylia, who had renounced his bishopric, being an aged man, and thinking himself unable to discharge the duties of it. In such cases, likewise, when any one receded with the approbation of a Council, he was sometimes allowed to receive a moderate pension out of the bishopric for his maintenance. As it was in the case of Domnus, bishop of Antioch, who having been ejected, though unjustly, by Dioscorus, in the second Synod of Ephesus, yet quietly resigned the bishopric to Maximus: upon which account Maximus desired leave of the Council of Chalcedon, that he might allow him an annual pension out of the revenues of the Church; which the Council of Chalcedon[26] readily complied with. And

[25] Act. 7. in Ep. ad Synod. Pamphyliæ. (t. 3. p. 807 d.) Ἐδικαιώσαμεν καὶ ὡρίσαμεν δίχα πάσης ἀντιλογίας ἔχειν αὐτὸν τό τε τῆς ἐπισκοπῆς ὄνομα, καὶ τὴν τιμὴν καὶ τὴν κοινωνίαν· οὕτω μέντοι, ὥστε μὴ χειροτονεῖν αὐτὸν, μήτε μὴν ἐκκλησίαν καταλαβόντα ἱερουργεῖν ἐξ ἰδίας αὐθεντείας· ἀλλ' ἢ ἄρα συμπαραλαμβανόμενον, εἴτουν ἐπιτρεπόμενον, εἰ τύχοι, παρὰ ἀδελφοῦ καὶ συνεπισκόπου κατὰ διάθεσιν καὶ ἀγάπην τὴν ἐν Χριστῷ.

[26] Act. 7. al. 10. (t. 4. p. 681 e.)... Residentibus universis ante cancellos sancti altaris, Maximus reverendissimus episcopus Antiochiæ dixit:

this, as Richerius[27] ingenuously owns, was the ancient design and meaning of canonical pensions; which were not used to be granted but by the authority or approbation of a Synod, and only to such as, having spent the greatest part of their life in the service of the Church, desired to be disburdened of their office by reason of their age. For the reserving a pension out of a bishopric, which a man only resigns to take another, was a practice wholly unknown to former ages.

No clergyman to remove from one diocese to another without the consent and letters dimissory of his own bishop.

4. Another rule, designed to keep all clergymen strictly to their duty, was, that no one should remove from his own church or diocese, without the consent of the bishop to whose diocese he belonged. For as no one at first could be ordained ἀπολελυμένως, but must be fixed to some church at his first ordination; so neither, by the rules and discipline of the Church then prevailing, might he exchange his station at pleasure, but must have his own bishop's license, or letters dimissory, to qualify him to remove from one diocese to another. For this was the ancient right, which every bishop had in the clergy of his own church, that he could not be deprived of them without his own consent; but as well the party that deserted him, as the bishop that received him, were liable to be censured upon such a transgression. 'If any presbyter, deacon, or other clerk,' says the Apostolical Canons[28], 'forsake his own diocese to go to

Deprecor magnificentissimos et gloriosissimos judices, et sanctam hanc et universalem synodum, et humanitatem exercere in Domnum, qui fuit Antiochiæ episcopus, dignemini, et statuere ei certos sumptus de ecclesia, quæ sub me est.... Universa sancta synodus vociferata est: Laudabiles merito sunt benevolentiæ archiepiscopi. Omnes cogitatum ejus laudamus.... Magnificentissimi judices dixerunt: Amplectente sancta synodo arbitrium Maximi, viri religiosi, episcopi Antiochiensium, quod de Domno probavit, et nos eidem consentimus, ejus arbitrio derelinquentes, quæ sunt de Domni honorificentia.

[27] Concil. Hist. l. 1. c. 8. n. 30. (p. 218.) Verum, qui ad hæc attenderit, facile videbit. Nihil antiquitus consuetum fieri nisi synodice comprobatum; hincque *jus pensionum canonicarum potest confirmari;* quæ iis tantum tribui consueverant, qui magnam vitæ partem in ministerio consumpserant, et propter ætatem se exonerabant episcopatu.

[28] Cc. 15 et 16. [al. 14 et 15.] (Cotel. [c. 12.] v. 1. p. 439.) Εἴ τις πρεσβύτερος, ἢ διάκονος, ἢ ὅλως τοῦ καταλόγου τῶν κληρικῶν, ἀπολείψας τὴν ἑαυτοῦ παροικίαν, εἰς ἑτέραν ἀπέλθῃ, καὶ παντελῶς μεταστὰς διατρίβῃ ἐν ἄλλῃ παροικίᾳ παρὰ γνώμην τοῦ ἰδίου ἐπισκόπου, τοῦτον κελεύομεν μηκέτι λειτουργεῖν, μάλιστα εἰ προσκαλουμένου αὐτὸν ἐπανελθεῖν ἐπισκόπου [al. τοῦ ἐπισκόπου αὐτὸν ἐπανελθεῖν] οὐχ ὑπήκουσεν, ἐπιμένων τῇ ἀταξίᾳ· ὡς λαϊκὸς μέν τοι ἐκεῖσε κοινωνείτω. Εἰ δὲ ὁ ἐπίσκοπος, παρ' ᾧ τυγχάνουσι, παρ' οὐδὲν ἡγησάμενος [al. λογισάμενος] τὴν κατ' αὐτῶν ὁρισθεῖσαν ἀγρίαν, δέξηται [al. δέξεται] αὐτοὺς ὡς κληρικούς, ἀφοριζέσθω ὡς

another, and there continue without the consent of his own bishop; we decree, that such an one shall no longer minister as a clerk, especially if after admonition he refuse to return, but only be admitted to communicate as a layman. And if the bishop, to whom they repair, still entertain them in the quality of clergymen, he shall be excommunicated as a master of disorder.' The same rule is frequently repeated in the ancient Councils, as that of Antioch[29], the first and second of Arles[30], the first and fourth of Carthage[31], the first of Toledo[32], and the Council of Tours[33], and Turin[34], and the great Council of Nice[35], to whose canons it may be sufficient to refer the reader.

διδάσκαλος ἀταξίας.—C. Chalced. c. 20. (t. 4. p. 766 b.) Εἰ δέ τις ἐπίσκοπος μετὰ τὸν ὅρον τοῦτον ἄλλῳ ἐπισκόπῳ προσήκοντα δέξεται κληρικὸν, ἔδοξεν ἀκοινώνητον εἶναι τὸν δεχθέντα καὶ τὸν δεξάμενον, ἕως ἂν ὁ μεταστὰς κληρικὸς εἰς τὴν ἰδίαν ἐπανέλθῃ ἐκκλησίαν.

[29] C. 3. (t. 2. p. 561 e.) Εἴ τις πρεσβύτερος, ἢ διάκονος, ἢ ὅλως τῶν τοῦ ἱερατείου τις, καταλιπὼν τὴν τοῦ ἑαυτοῦ παροικίαν, εἰς ἑτέραν ἀπέλθοι· ἔπειτα παντελῶς μεταστὰς, διατρίβειν ἐν ἄλλῃ παροικίᾳ πειρᾶται ἐπὶ πολλῷ χρόνῳ, μηκέτι λειτουργεῖν, εἰ μάλιστα καλοῦντι τῷ ἐπισκόπῳ τῷ ἰδίῳ, καὶ ἐπανελθεῖν εἰς παροικίαν τὴν ἑαυτοῦ παραινοῦντι, μὴ ὑπακούοι· εἰ δὲ καὶ ἐπιμένοι τῇ ἀταξίᾳ, παντελῶς αὐτὸν καθαιρεῖσθαι τῆς λειτουργίας, ὡς μηκέτι χώραν ἔχειν ἀποκαταστάσεως· εἰ δὲ καθαιρεθέντα διὰ ταύτην τὴν αἰτίαν δέχοιτο ἕτερος ἐπίσκοπος, κἀκεῖνον ἐπιτιμίας τυγχάνειν ὑπὸ κοινῆς συνόδου, ὡς παραλύοντα τοὺς θεσμοὺς τοὺς ἐκκλησιαστικούς.

[30] Arelatens. 1. c. 21. (t. 1. p. 1429 b.) De presbyteris aut diaconibus, qui solent dimittere loca sua in quibus ordinati sunt, et ad alia loca se transferunt, placuit ut eis locis ministrent, quibus præfixi [al. præfecti] sunt. Quod si, relictis locis suis, ad alium se locum transferre voluerint, deponantur.—Arelatens. 2. c. 13. (t. 4. p. 1012 e.) Nullus cujuscumque ordinis clericus, non diaconus, non presbyter, non episcopus, quacumque occasione faciente, propriam relinquat ecclesiam, sed omnimodis aut excommunicetur aut redire cogatur.

[31] Carth. 1. c. 5. (t. 2. p. 1824 b.) ...Non debere clericum alienum ab aliquo suscipi sine literis episcopi sui, neque apud se detinere.—Carth. 4. c. 27. (ibid. p. 1202 c.) Inferioris vero gradus sacerdotes, ut alii clerici, concessione suorum episcoporum possunt ad alias ecclesias transmigrare.

[32] Tolet. 1. c. 12. (ibid. p. 1225 c.) Item ut liberum ulli clerico non sit discedere de episcopo suo, et alteri episcopo communicare.

[33] Turon. 1. c. 11. (t. 4. 1052 b.) Si quis clericus, absque episcopi sui permissu, derelicta ecclesia sua, ad alium se transferre voluerit locum, alienus a communione habeatur.

[34] Taurin. c. 7. (t. 2. p. 1157 d.) .... Synodi sententia definitum est, ut clericum alterius secundum statuta canonum nemo suscipiat, neque suæ ecclesiæ, licet in alio gradu, audeat ordinare, neque abjectum recipiat in communionem.

[35] Nicæn. 16. (ibid. p. 36 e.) Ὅσοι ῥιψοκινδύνως, μήτε τὸν φόβον τοῦ Θεοῦ πρὸ ὀφθαλμῶν ἔχοντες, μήτε τὸν ἐκκλησιαστικὸν κανόνα εἰδότες, ἀναχωρήσουσι τῆς ἐκκλησίας, πρεσβύτεροι ἢ διάκονοι, ἢ ὅλως ἐν τῷ κανόνι ἐξεταζόμενοι· οὗτοι οὐδαμῶς δεκτοὶ ὀφείλουσιν εἶναι ἐν ἑτέρᾳ ἐκκλησίᾳ, ἀλλὰ πᾶσαν αὐτοῖς ἀνάγκην ἐπάγεσθαι χρὴ, ἀναστρέφειν εἰς τὰς ἑαυτῶν παροικίας, ἢ ἐπιμένοντας, ἀκοινωνήτους εἶναι προσήκει. εἰ δὲ καὶ τολμήσειέ τις ὑφαρπάσαι τὸν τῷ ἑτέρῳ

I only observe, that this was the ancient use of letters dimissory, or, as they were then called, *ἀπολυτικαὶ, εἰρηνικαὶ, συστατικαὶ,* and *concessoriæ*, which were *letters of license* granted by a bishop for a clergyman to remove from his diocese to another; though we now take letters dimissory in another sense; but the old canons call those dimissory letters, which were given upon the occasion that I have mentioned. The Council of Carthage[36] gives them only the name of *the bishop's letters*, but the Council of Trullo[37] styles them expressly *dimissory*; when, reinforcing all the ancient canons, it says, 'No clergyman, of what degree soever, shall be entertained in another church,—*ἐκτὸς τῆς τοῦ οἰκείου ἐπισκόπου ἐγγράφου ἀπολυτικῆς,—without the dimissory letters of his own bishop;*' which he might grant or refuse, as he saw proper occasion for it: for there was no law to compel him to grant it, whatever arts any clerk might use to gain a dismission any other way. St. Austin mentions a pretty strange case of this nature, that happened in his own diocese. One Timotheus, a subdeacon of his church, being desirous to leave his post under St. Austin, and go to Severus, a neighbouring bishop, protests upon oath to Severus, that he would be no longer of St. Austin's church: upon this, Severus, pretending a reverence for his oath, writes to St. Austin, and tells him, he could not return him his clerk for fear of making him guilty of perjury. To which St. Austin replied[38], 'that this opened a way to licentiousness; and there was an end of all ecclesiastical order and discipline, if a bishop would pretend to keep another man's clerk upon such a scruple,

διαφέροντα, καὶ χειροτονῆσαι ἐν τῇ αὐτοῦ ἐκκλησίᾳ, μὴ συγκατατιθεμένου τοῦ ἰδίου ἐπισκόπου, οὗ ἀνεχώρησεν ὁ ἐν τῷ κανόνι ἐξεταζόμενος, ἄκυρος ἔστω ἡ χειροτονία.

[36] Carth. 1. c. 5. (t. 2. p. 715 d.) Non licere clericum alienum ab aliquo suscipi sine literis episcopi sui, neque apud se retinere. [This citation is according to Labbe: but the citation of the same canon at n. 31 preceding, and from the same Council, is according to the amended edition by Holstenius *e veteribus codicibus Vaticanis*, as repeated by Labbe at the end of t. 2. p. 1824. Ed.]

[37] C. 17. (t. 6. p. 1152 a.) *Ὁρίζομεν, ὥστε . . . . . μηδένα τῶν ἁπάντων κληρικῶν, κἂν ἐν οἱῳδήποτε τυγχάνῃ βαθμῷ ἄδειαν ἔχειν, ἐκτὸς τῆς τοῦ οἰκείου ἐπισκόπου ἐγγράφου ἀπολυτικῆς ἐν ἑτέρᾳ κατατάττεσθαι ἐκκλησίᾳ.*

[38] Ep. 240. [al. 63.] ad Sever. (t. 2. p. 152 b.) Quantus aditus aperitur ad dissolvendum ordinem ecclesiasticæ disciplinæ, si alterius ecclesiæ clericus cuicunque juraverit quod ab ipso non sit recessurus, eum secum esse permittat; ideo se facere affirmans, ne auctor sit ejus perjurii, &c.

for fear of being accessory to his perjury.' This evidently implies, that there was no law then to compel a bishop to grant letters dimissory to his clerk: for if there had been any such, Timotheus needed not to have used the stratagem of an oath, but might have compelled St. Austin to have granted them. But the Church then did not think fit to put it in every man's power to remove from one diocese to another at his own pleasure; but left every bishop sole judge in this case, as best knowing the necessities and circumstances of his own church, and whether it were expedient to part with the clergy which were ordained for her service.

ws against the ακάντιβοι, wandering clergy.

5. The laws were no less severe against all wandering clergymen, whom some of the Ancients[39] call *βακάντιβοι*, or *vacantivi*, by way of reproach. They were a sort of idle persons, who, having deserted the service of their own church, would fix in no other, but went roving from place to place, as their fancy and their humour led them. Now, by the laws of the Church, no bishop was to permit any such to officiate in his diocese, nor indeed so much as to communicate in his church; because, having neither letters dimissory nor letters commendatory from their own bishop, which every one ought to have that travelled, they were to be suspected either as deserters, or as persons guilty of some misdemeanour, who fled from ecclesiastical censure. Therefore the laws forbad the admitting of such either to ecclesiastical or lay-communion. 'A presbyter or deacon,' says the Council of Agde[40], 'that rambles about without the letters of his bishop, shall not be admitted to communion by any other.' The Council of Epone[41] repeats the decree in the same words. And the Council of Valentia[42], in Spain, orders such wandering and roving clerks, as will not

[39] Vid. Synes. Ep. 67. (p. 216 a. 10.) *Περινοστοῦσί τινες βακαντίβοι παρ' ἡμῖν· ἀνέξῃ γάρ μου μικρὸν ὑποβαρβαρίσαντος, ἵνα διὰ τῆς συνηθεστέρας τῇ πολιτείᾳ φωνῆς τὴν ἐνίων κακίαν ἐμφατικώτερον παραστήσαιμι· οὗτοι καθέδραν μὲν ἀποδεδειγμένην ἔχειν οὐ βούλονται· οἵγε τὴν οὖσαν ἀπολελοίπασι, οὐ κατὰ συμφοράν, ἀλλ' αὐθαίρετοι μετανάσται γινόμενοι· καρποῦνται δὲ τὰς τιμὰς, ἐκεῖ περινοστοῦντες, ὅπου κερδαλεώτερον.*

[40] C. 52. (t. 4. p. 1392 a.) Presbytero, sive diacono [al. vel diacono vel clerico] sine antistitis sui epistolis ambulanti communionem nullus impendat.

[41] C. 6. (t. 4. p. 1577 b.)

[42] C. 5. (ibid. p. 1619 e.).. Vagus atque instabilis clericus, ... si episcopi, a quo ordinatus est, præceptis non obedierit, ut in delegata sibi ecclesia officium dependat assiduum, quousque in vitio permanserit, et [al. a] communione et honore privetur.

settle to the constant performance and attendance of divine offices in the church, whereto they were deputed by the bishop that ordained them, to be deprived both of the communion and the honour of their order, if they persisted in their obstinacy and rebellion. So strict were the laws of the ancient Church in tying the inferior clergy to the service of that church to which they were first appointed, that they might not upon any account move thence, but at the discretion of the bishop that ordained them.

Laws against the translations of bishops from one see to another, how to be limited and understood.

6. Nor were the bishops so arbitrary in this matter, but that they themselves were under a like regulation, and liable to laws of the same nature. For, as no clerk could remove from his own church without the license of his bishop, so neither might any bishop pretend to translate or move himself to another see, without the consent and approbation of a provincial council. Some few there were who thought it absolutely unlawful for a bishop to forsake his first see, and betake himself to any other; because they looked upon his consecration to be a sort of marriage to his church, from which he could not divorce himself, nor take another, without incurring the crime of spiritual adultery. To this purpose they wrested that passage of St. Paul, "A bishop must be the husband of one wife," taking it in a mystical and figurative sense, as St. Jerom[43] informs us. But this was but the private opinion of one or two authors, which never prevailed in the Catholic Church; whose prohibition of the translation of bishops was not founded upon any such reasons, but was only intended as a cautionary provision to prevent the ambition of aspiring men: that they might not run from lesser bishoprics to greater, without the authority of a provincial Synod, which was the proper judge in such cases. Some canons indeed seem to forbid it absolutely and universally, as a thing not to be allowed in any case. The Councils of Nice[44] and Sardica[45], and some others, prohibit it,

[43] Ep. 83. [al. 69.] ad Ocean. t. 2. p. 321. (t. 1. p. 415 a.) Quidam coacte interpretantur uxores pro ecclesiis, viros pro episcopis debere accipi, &c.

[44] C. 15. (t. 2. p. 36 d.) *Διὰ τὸν πολὺν τάραχον καὶ τὰς στάσεις τὰς γινομένας, ἔδοξε παντάπασι περιαιρεθῆναι τὴν συνήθειαν τὴν παρὰ τὸν κανόνα εὑρεθεῖσαν ἔν τισι μέρεσιν· ὥστε ἀπὸ πόλεως εἰς πόλιν μὴ μεταβαίνειν, μήτε ἐπίσκοπον, μήτε πρεσβύτερον, μήτε διάκονον· εἰ δέ τις μετὰ τὸν τῆς ἁγίας καὶ μεγάλης συνόδου ὅρον, τοιούτῳ τινὶ ἐπιχειρήσειεν, ἢ ἐπιδοίη ἑαυτὸν πράγματι τοιούτῳ, ἀκυρωθή-*

without any exception or limitation. But other canons restrain it to the case of a bishop's intruding himself into another see by some sinister arts, without any legal authority from a provincial synod. So those called the Apostolical Canons[46] distinguish upon the matter: 'It shall not be lawful for a bishop to leave his diocese and invade another, though many of the people would compel him to it, unless there be a reasonable cause, as that he may the more advantage the Church by his preaching; and then he shall not do it of his own head, but by the judgment and entreaty of many bishops, that is, a provincial synod.' The fourth Council of Carthage[47] distinguishes much after the same manner: 'A bishop shall not remove himself from an obscure to a more honourable place out of ambition; but, if the advantage of the Church require it, he may be translated by the order and decree of a provincial synod.' Schelstrate[48] and some other learned persons think that these canons were a correction of the former; the one allowing what the other had positively forbidden. But this is not at all probable: it is more reasonable to think, that though in the Nicene and Sardican canons these exceptions are not expressed, yet they are to be understood; because the Council of Nice itself translated Eustathius, bishop of Berœa, to Antioch, as Mr. Pagi[49] rightly observes out of Sozomen[50], and other his-

σεται ἐξ ἅπαντος τὸ κατασκεύασμα, καὶ ἀποκατασταθήσεται τῇ ἐκκλησίᾳ, ᾗ ὁ ἐπίσκοπος ἢ ὁ πρεσβύτερος ἐχειροτονήθη.

[45] C. 1. (ibid. p. 628 d.) . . . . Ἵνα μηδενὶ τῶν ἐπισκόπων ἐξῇ ἀπὸ πόλεως μικρᾶς εἰς ἑτέραν πόλιν μεθίστασθαι. —C. Antioch. c. 21. (ibid. p. 572 a.) Ἐπίσκοπον ἀπὸ παροικίας ἑτέρας εἰς ἑτέραν μὴ μεθίστασθαι, μήτε αὐθαιρέτως ἐπιρρίπτοντα ἑαυτὸν, μήτε ἀπὸ λαῶν ἐκβιαζόμενον, μήτε ὑπὸ ἐπισκόπων ἀναγκαζόμενον, κ. τ. λ.—Conf. C. Carth. 3. c. 38. (ibid. p. 1172 c.) Non liceat fieri rebaptizationes et reordinationes vel translationes episcoporum.

[46] C. 14. [al. 13.] (Cotel. [c. 11.] v. 1. p. 438.) Ἐπίσκοπον μὴ ἐξεῖναι καταλείψαντα τὴν ἑαυτοῦ παροικίαν ἑτέρᾳ ἐπιπηδᾶν, κἂν ὑπὸ πλειόνων ἀναγκάζηται· εἰ μή τις εὔλογος αἰτία ᾖ ἡ τοῦτο βιαζομένη αὐτὸν ποιῆσαι [al. ποιεῖν], ὡς πλέον τι κέρδος δυναμένου αὐτοῦ τοῖς ἐκεῖσε λόγῳ εὐσεβείας συμβάλλεσθαι· καὶ τοῦτο δὲ οὐκ ἀφ' ἑαυτοῦ, ἀλλὰ κρίσει πολλῶν ἐπισκόπων καὶ παρακλήσει μεγίστῃ.

[47] C. 27. (t. 2. p. 1202 b.) Ut episcopus de loco ignobili ad nobilem per ambitionem non transeat. . Sane si id utilitas ecclesiæ fiendum poposcerit, decreto pro eo clericorum et laicorum episcopis porrecto, per sententiam [al. in præsentia] synodi transferatur.

[48] C. Antioch. Restitut. dissert. 4. c. 19. n. 2. de Canone 21. (p. 614.)

[49] Crit. in Baron. an. 324. n. 22. [al. 26.] (t. 1. p. 403.). . Eustathius, anno sequenti episcopus Antiochenus dictus, cum Theophanes de synodo Nicæna loquens dicat: Vidua pontifice Antiochensium ecclesia synodus Eustathium confirmavit Berœæ in Syria episcopum, quod

torians of the Church. Which had been to break and affront their own rule at the very first, had it meant that it should not be lawful in any case to translate a bishop from one see to another. We must conclude, then, that the design of all these canons was the same, to prevent covetousness, ambition, and love of preeminence in aspiring men, who thrust themselves into other sees by irregular means, by a faction, or the mere favour of the people, without staying for the choice or consent of a synod; which was the common practice of the Arian party in the time of Constantine and Constantius, and occasioned so many laws to be made against it. But when a synod of bishops in their judgment and discretion thought it necessary to translate a bishop from a lesser to a greater see, for the benefit and advantage of the Church, there was no law to prohibit this, but there are a thousand instances of such promotions to be met with in ancient history; as Socrates[51] has observed long ago, who has collected a great many instances to this purpose. Those that please may see more in Cotelerius[52] and bishop Beveridge[53]; for in so plain a case I do not think it necessary to be more particular in my account of them, but proceed with other laws of the Church which concerned the clergy.

Laws concerning the residence of the clergy.

7. The next laws of this nature were such as concerned *the residence of the clergy;* the design of which was the same as all the former, to bind them to constant attendance upon their duty. And these laws equally concerned bishops and all the inferior clergy. The Council of Sardica has several canons relating to this matter. The seventh[54] decrees, 'that no bishop should go *εἰς στρατόπεδον, to the emperor's court,* unless the emperor by letter called him thither.' The next canon[55] pro-

ante Theophanem Sozomenus, l. 1. c. 2. in literas miserat.

[50] L. 1. c. 2. (v. 2. p. 11. 35.) Τῆς δὲ [*ἐκκλησίας*] Ἀντιοχέων τῶν πρὸς τῇ Ὀρρόντῃ, μετὰ Ῥωμανὸν οὕπω τις ἐπετέτραπτο· τῶν διωγμῶν, ὡς εἰκὸς, μὴ συγχωρησάντων γενέσθαι τὴν χειροτονίαν. οὐκ εἰς μακρὰν δὲ οἱ εἰς Νίκαιαν συνεληλυθότες, θαυμάσαντες τοῦ βίου καὶ τῶν λόγων Εὐστάθιον, ἄξιον ἔδοκίμασαν τοῦ ἀποστολικοῦ θρόνου ἡγήσασθαι· καὶ ἐπίσκοπον ὄντα τῆς γείτονος Βεροίας εἰς Ἀντιόχειαν μετέστησαν.

[51] L. 7. c. 36. tot. (ibid. p. 385. 9.) Ἐπειδή δέ τινες, κ. τ. λ.

[52] In Can. Apost. 14. (v. 1. p. 438. n. 6.) Immensum esset, &c.

[53] In eund. Can. (ap. Cotel. ibid. p. 462.) Anno Domini 673, &c.

[54] C. 7. (t. 2. p. 633 b.) Μηδένα ἐπίσκοπον χρῆναι εἰς τὸ στρατόπεδον παραγίνεσθαι, παρεκτὸς τούτων, οὓς ἂν ὁ εὐλαβέστατος βασιλεὺς τοῖς ἑαυτοῦ γράμμασι μετακαλοῖτο.

[55] C. 8. (ibid.) [According to Labbe, the latter part of c. 7. and c. 8.] Ἐπειδὰν πολλάκις συμβαίνει

vides, 'that whereas there might be several cases which might require a bishop to make some application to the emperor in behalf of the poor, or widows, or such as fled for sanctuary to the church, and condemned criminals, and the like; in such cases the deacons or subdeacons of the church were to be employed to go in his name, that the bishop might fall under no censure at court, as neglecting the business of his church.' Justinian has a law[56] of the same import with these canons, 'that no bishop should appear at court upon any business of his church without the command of the prince; but if any petition was to be preferred to the emperor relating to any civil contest, the bishop should depute his *apocrisiarius*, or *resident at court*, to act for him, or send his *œconomus*, or some other of his clergy, to solicit the cause in his name; that the church might neither receive damage by his absence, nor be put to unnecessary expenses. Another canon[57] of the Council of Sardica limits the absence of a bishop from his church to three weeks, unless it were upon some very weighty and urgent occasion. And another canon[58] allows the same time for

τινὰς οἴκτου δεομένους καταφυγεῖν ἐπὶ τὴν ἐκκλησίαν, διὰ τὰ ἑαυτῶν ἁμαρτήματα εἰς περιορισμὸν ἢ νῆσον καταδικασθέντας, ἢ [δ'] αὖ πάλιν οἱαδηποτοῦν ἀποφάσει ἐκδεδομένους· τοῖς τοιούτοις μὴ ἀρνητέαν εἶναι τὴν βοήθειαν, ἀλλὰ χωρὶς μελησμοῦ καὶ ἄνευ τοῦ διστάσαι τοῖς τοιούτοις αἰτεῖσθαι συγχώρησιν· . . . . . καὶ τοῦτο ἡ ἀγχίνοια ὑμῶν κρινάτω, ἵν' ἐπειδὴ ἔδοξε, διὰ τὸ μὴ πίπτειν ὑπὸ κατάγνωσίν τινα τῶν ἐπισκόπων ἀφικνούμενον εἰς τὸ στρατόπεδον, εἴ τινες αὐτῶν τοιαύτας ἔχοιεν δεήσεις, οἵων ἐπάνω ἐπεμνήσθημεν, διὰ ἰδίου διακόνου ἀποστέλλοιεν· τοῦτο γὰρ ὑπηρέτου τὸ πρόσωπον οὐκ ἐπίφθονον τυγχάνει, καὶ τὰ παρασχεθησόμενα θᾶττον διακομισθῆναι δυνήσεται.

[56] Novel. 6. c. 2. See before, b. 3. ch. 13. s. 6. v. 1. p. 365. n. 84.

[57] C. 11. (t. 2. p. 637 a.) Μέμνησθε καὶ ἐν τῷ προάγοντι χρόνῳ τοὺς πατέρας ἡμῶν κεκρικέναι, ἵνα εἴ τις λαϊκὸς ἐν πόλει διάγων, τρεῖς κυριακὰς ἡμέρας ἐν τρισὶν ἑβδόμασι μὴ συνέρχοιτο, ἀποκινοῖτο τῆς κοινωνίας· εἰ τοίνυν περὶ τῶν λαϊκῶν τοῦτο τεθέσπισται, οὐ χρὴ, οὐδὲ πρέπει, ἀλλ' οὐδὲ συμφέρει, ἐπίσκοπον, εἰ μηδεμίαν βαρυτέραν ἀνάγκην ἔχοι, ἢ πρᾶγμα δυσχερές, ἐπὶ πλεῖστον ἀπολείπεσθαι τῆς ἑαυτοῦ ἐκκλησίας, καὶ λυπεῖν τὸν ἐμπεπιστευμένον αὐτῷ λαόν.

[58] C. 12. (ibid. b.) Τινὲς τῶν ἀδελφῶν καὶ συνεπισκόπων ἐν ταῖς πόλεσιν, ἐν αἷς ἐπίσκοποι καθίστανται, δοκοῦσι κεκτῆσθαι σφόδρα ὀλίγα ὑπάρχοντα ἴδια· ἐν ἑτέροις δὲ τόποις κτήσεις μεγάλας, ἐξ ὧν καὶ ἐπικουρεῖν δυνατοί εἰσι τοῖς πένησιν· οὕτως οὖν αὐτοῖς συγχωρητέον εἶναι κρίνω, ἵνα εἰ μέλλοιεν εἰς τὰς ἑαυτῶν παραγίνεσθαι κτήσεις, καὶ τὴν συγκομιδὴν τῶν καρπῶν ποιείσθαι, τρεῖς κυριακὰς ἡμέρας, τοῦτ' ἔστι, τρεῖς ἑβδομάδας ἐν τοῖς ἑαυτῶν κτήμασιν αὐτοὺς διάγειν, καὶ ἐν τῇ ἀγχιστευούσῃ ἐκκλησίᾳ, ἐν ᾗ πρεσβύτερος συνάγοι, ὑπὲρ τοῦ μὴ χωρὶς συνελεύσεως αὐτὸν δοκεῖ εἶναι, συνέρχεσθαι καὶ λειτουργεῖν, καὶ μὴ συνεχέστερον εἰς τὴν πόλιν, ἐν ᾗ ἐστιν ἐπίσκοπος, παραγίγνοιτο. Τοῦτον γὰρ τὸν τρόπον καὶ τὰ οἰκεῖα αὐτοῦ πράγματα παρὰ τὴν αὐτοῦ ἀπουσίαν οὐδεμίαν ὑπομενεῖ ζημίαν, καὶ τὸ τῆς ἀλαζονείας καὶ τοῦ τύφου ἐκκλίνειν δόξει ἔγκλημα.

a bishop, who is possessed of an estate in another diocese, to go and collect his revenues, provided he celebrate divine service every Lord's-day in the country-church where his estate lies: and by two other canons[59] of that Council, presbyters and deacons are limited to the same term of absence, and tied to the forementioned rules in the same manner as bishops were. The Council of Agde[60] made the like order for the French Churches, decreeing 'that a presbyter or deacon, who was absent from his church for three weeks, should be three years suspended from the communion.' In the African Churches, upon the account of this residence, every bishop's house was to be near the church by a rule of the fourth Council of Carthage[61]. And in the fifth Council there is another rule[62], 'that every bishop shall have his residence at his principal or cathedral church, which he shall not leave, to betake himself to any other church in his diocese; nor continue upon his private concerns, to the neglect of his cure, and hinderance of his frequenting the cathedral church.' From this it appears that the city-church was to be the chief place of the bishop's residence and cure: and Cabassutius[63], in his remarks upon this canon, reflects upon the French bishops, as transgressing the ancient rule, in spending the greatest part of the year upon

[59] C. 16. (ibid. p. 640 e.) Ἀέτιος ἐπίσκοπος εἶπεν· Οὐκ ἀγνοεῖτε ὁποία καὶ πηλίκη τυγχάνει ἡ τῶν Θεσσαλονικέων μητρόπολις· πολλάκις τοιγαροῦν εἰς αὐτὴν ἀπὸ ἑτέρων ἐπαρχιῶν πρεσβύτεροι καὶ διάκονοι παραγίνονται, καὶ οὐκ ἀρκούμενοι βραχέος διαγωγῇ χρόνου, ἐναπομένουσι, καὶ ἅπαντα τὸν χρόνον αὐτόθι ποιοῦντες διατελοῦσιν· ἡ μόλις μετὰ πλεῖστον χρόνον εἰς τὰς ἑαυτῶν ἐπανιέναι ἐκκλησίας ἀναγκάζονται· περὶ τούτων οὖν ὁριστέον. Ὅσιος ἐπίσκοπος εἶπεν· Οὗτοι οἱ ὅροι, οἱ καὶ ἐπὶ τῶν ἐπισκόπων ὡρισμένοι, φυλαττέσθωσαν καὶ ἐπὶ τούτων τῶν προσώπων.—Ibid. c. 17 (b.) [This canon contains nothing directly to the purpose, but permits a necessary absence, in case of a violent expulsion or in seeking redress;—Εἴ τις ἐπίσκοπος βίαν ὑπομείνας ἀδίκως ἐκβληθῇ, κ.τ.λ. Ed.]

[60] C. 64. (t. 4. p. 1393 e.)... Triennio a communione suspendatur. Similiter diaconus vel presbyter, si [per] tres hebdomadas ab ecclesia sua defuerint, huic damnationi succumbant.

[61] C. 14. (t. 2. p. 1201 b.) Ut episcopus non longe ab ecclesia hospitiolum habeat.

[62] C. 5. (ibid. p. 1216 b.) Placuit ut nemini sit facultas, relicta principali cathedra, ad aliquam ecclesiam in diœcesi constitutam se conferre: vel in re propria diutius quam oportet constitutum, curam vel frequentationem propriæ cathedræ negligere.

[63] Notit. Concil. c. 44. [Sæc. 4. an. 398.] (p. 178.) Huic canoni episcopi contraveniunt.... qui magna parte anni ruri versantur et deliciantur.

their pleasure in the country. Yet there is one thing that seems a difficulty in this matter; for Justinian[64] says, 'No bishop shall be absent from his church above a whole year, unless he has the emperor's command for it.' Which implies, that a bishop might be absent from his bishopric a year in ordinary cases, and more in extraordinary. But I conceive the meaning of this is, that he might be absent a year during his whole life, not year after year; for that would amount to a perpetual absence, which it was not the intent of the law to grant, but to tie them up to the direct contrary, except the prince upon some extraordinary affair thought fit to grant them a particular dispensation.

Of pluralities, and the laws made about them.

8. Another rule, grounded upon the same reasons with the former, was *the inhibition of pluralities;* which concerned both bishops and the inferior clergy. As to bishops, it appears plainly from St. Ambrose that it was not thought lawful for a bishop to have two churches. For, speaking of those words of the Apostle, "a bishop must be the husband of one wife," he says[65]; 'If we look only to the superficies of the letter, it forbids a digamist to be ordained bishop; but if we penetrate a little deeper to the profounder sense, it prohibits a bishop to have two churches.' That is, wherever there were two dioceses before, it was not lawful for one bishop to usurp them both, except where the wisdom of the Church and State thought it most convenient to join them into one. And it is remarkable, that though there be many instances of bishops removing from lesser sees to greater; yet there is no example in all ancient history, that I remember, of any such bishops holding both together; no, not among the Arians themselves, who were the least concerned in observing rules of any other. As to the case of the inferior clergy, we must distinguish betwixt diocesan and parochial churches, and between the office and the benefit in parochial churches. The circumstances and

[64] Novel. 6. c. 2. (t. 5. p. 54.) Et illud etiam definimus, ut nemo Deo amabilium episcoporum foris a sua ecclesia plusquam per totum annum abesse audeat, nisi hoc per imperialem fiat jussionem.

[65] De Dignit. Sacerd. c. 4. (t. 2. append. p. 360 d.) Si ad superficiem tantum literæ respiciamus, prohibet bigamum episcopum ordinari: si vero ad altiorem sensum conscendimus, inhibet episcopum duas usurpare ecclesias.

necessities of the Church might sometimes require a presbyter or deacon to officiate in more than one parochial church, when there was a scarcity of ministers; but the revenues of such churches did not thereupon belong to him, because they were paid into the common stock of the city or cathedral church, from whence he had his monthly or yearly portion in the division of the whole, as has been noted before. And this makes it further evident, that in those early ages there could be no such thing as plurality of benefices, but only a plurality of offices in the same diocese, within such a district as that a man might personally attend and officiate in two parochial churches. But then as to different dioceses, it being ordinarily impossible that a man should attend a cure in two dioceses, the canons are very express in prohibiting any one from having a name in two churches, or partaking of the revenues of both. The Council of Chalcedon has a peremptory canon[66] to this purpose: 'It shall not be lawful for any clergyman to have his name in the church-roll or catalogue of two cities at the same time, that is, in the church where he was first ordained, and any other to which he flies out of ambition as to a greater church; but all such shall be returned to their own church, where they were first ordained, and only minister there. But if any one is regularly removed from one church to another, he shall not partake of the revenues of the former church, or of any oratory, hospital, or almshouse belonging to it. And such as shall presume, after this definition of this great and œcumenical Council, to transgress in this matter, are condemned to be degraded by the holy synod.' And, that none might pretend under any other notion to evade this law, the same rule was made for monasteries, that one abbot should not preside over two monasteries at the same time. Which provision is made by the Councils of Agde and Epone[67], and confirmed by the im-

[66] C. 10. (t. 4. p. 759 d.) *Μὴ ἐξεῖναι κληρικὸν* [al. *κληρικῷ*] *ἐν δύο πόλεων καταλέγεσθαι ἐκκλησίαις κατὰ τὸ αὐτό, ἐν ᾗ τε τὴν ἀρχὴν ἐχειροτονήθη καὶ ἐν ᾗ προσέφυγεν, ὡς μείζονι δόξῃθεν, διὰ δόξης κενῆς ἐπιθυμίαν· τοὺς δέ γε τοῦτο ποιοῦντας ἀποκαθίστασθαι τῇ ἰδίᾳ ἐκκλησίᾳ, ἐν ᾗ ἐξ ἀρχῆς ἐχειροτονήθησαν, καὶ ἐκεῖ μόνον λειτουργεῖν· εἰ μέντοι ἤδη τις μετετέθη ἐξ ἄλλης εἰς ἄλλην ἐκκλησίαν, μηδὲν τοῖς τῆς προτέρας ἐκκλησίας ἤτοι τῶν ὑπ' αὐτὴν μαρτυρίων, ἢ πτωχείων, ἢ ξενοδοχείων, ἐπικοινωνεῖν πράγμασι· τοὺς δέ γε τολμῶντας μετὰ τὸν ὅρον τῆς μεγάλης καὶ οἰκουμενικῆς ταύτης συνόδου πράττειν τι τῶν νῦν ἀπηγορευομένων, ὥρισεν ἡ ἁγία σύνοδος, ἐκπίπτειν τοῦ οἰκείου βαθμοῦ.*

[67] Agathens. c. 57. (ib. p. 1392 c.)

perial laws of Justinian, who inserted it into his Code[68]. Now the design of all these laws was to oblige the clergy to constant attendance upon their duty in the church where they were first ordained; from which if they once removed, whether with license or without, to any other diocese, they were no longer to enjoy any dividend in the church or diocese to which they first belonged. And this rule continued for several ages after the Council of Chalcedon, being renewed in the second Council of Nice[69], and other later Councils.

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9. In pursuance of the same design, to keep the clergy strict and constant to their duty, laws were also made to prohibit them from *following any secular employment*, which might divert them too much from their proper business and calling. Among those called the Apostolical Canons, there are three to this purpose. One[70] of which says, 'No bishop, presbyter, or deacon, shall take upon him any worldly cares, under pain of degradation.' Another[71] says, 'No bishop or presbyter shall concern himself in any secular offices or administrations, that he may have more time to attend the needs and business of the Church; and this under the same penalty of degradation.' The last[72] says, 'A bishop, presbyter, or deacon, that busies

Unum abbatum duobus monasteriis interdicimus præsidere. — Epaun. c. 9. (ibid. p. 1577 c.) where the same words occur.

[68] L. 1. tit. 3. de Episc. leg. 39. (t. 4. p. 110.)... Οὐ γίνεται δὲ ἡγούμενος δύο μοναστηρίων.

[69] C. 15. (t. 7. p. 609 a.) Κληρικὸς ἀπὸ τοῦ παρόντος μὴ κατατασσέσθω ἐν δυσὶν ἐκκλησίαις· ἐμπορίας γὰρ καὶ αἰσχροκερδείας ἴδιον τοῦτο, καὶ ἀλλότριον ἐκκλησιαστικῆς συνηθείας· ἠκούσαμεν γὰρ ἐξ αὐτῆς τῆς Κυριακῆς φωνῆς· ὅτι οὐ δύναταί τις δυσὶ κυρίοις δουλεύειν· ἢ γὰρ τὸν ἕνα μισήσει, καὶ τὸν ἕτερον ἀγαπήσει· ἢ τοῦ ἑνὸς ἀνθέξεται, καὶ τοῦ ἑτέρου καταφρονήσει· ἕκαστος οὖν κατὰ τὴν Ἀποστολικὴν φωνὴν, ἐν ᾧ ἐκλήθη, ἐν τούτῳ ὀφείλει μένειν, καὶ προσεδρεύειν ἐν μιᾷ ἐκκλησίᾳ· τὰ γὰρ δι' αἰσχροκέρδειαν γινόμενα ἐπὶ σῶν ἐκκλησιαστικῶν πραγμάτων, ἀλλότρια τοῦ Θεοῦ καθεστήκασι· πρὸς δὲ τὴν τοῦ βίου τούτου χρείαν ἐπιτηδεύματά εἰσι διάφορα· ἐξ αὐτῶν εἴ τις βούλοιτο, τὰ χειρώδη τοῦ σώματος πριζέσθω· ἔφη γὰρ ὁ Ἀπόστολος· ταῖς χρείαις μου καὶ τοῖς οὖσι μετ' ἐμοῦ ὑπηρέτησαν αἱ χεῖρες αὗται· καὶ ταῦτα μὲν ἐν ταύτῃ τῇ θεοφυλάκτῳ πόλει· ἐν δὲ τοῖς ἔξω χωρίοις, διὰ τὴν ἔλλειψιν τῶν ἀνθρώπων, παραχωρείσθω.

[70] C. 7. [al. 6.] (Cotel. [c. 4.] v. 1. p. 437.) Ἐπίσκοπος, ἢ πρεσβύτερος, ἢ διάκονος κοσμικὰς φροντίδας μὴ ἀναλαμβανέσθω [al. ἀναλαμβανέτω·] εἰ δὲ μήγε καθαιρείσθω.

[71] C. 81. [al. 80.] (Cotel. [c. 72.] ibid. p. 447.) Εἴπομεν, ὅτι οὐ χρὴ ἐπίσκοπον, ἢ πρεσβύτερον εἰς δημοσίας διοικήσεις καθιέναι ἑαυτὸν, ἀλλὰ προσευκαιρεῖν ταῖς ἐκκλησιαστικαῖς χρείαις· ἢ πειθέσθω οὖν τοῦτο μὴ ποιεῖν, ἢ καθαιρείσθω· οὐδεὶς γὰρ δύναται δυσὶ κυρίοις δουλεύειν, κατὰ τὴν Κυριακὴν παρακέλευσιν.

[72] C. 83. [al. 82.] (Cotel. [c. 74.] ibid. p. 447.) Ἐπίσκοπος, ἢ πρεσβύτερος, ἢ διάκονος στρατείᾳ σχολάζων, καὶ βουλόμενος ἀμφότερα κατέχειν, Ῥωμαϊκὴν ἀρχὴν, καὶ ἱερατικὴν διοί-

himself in any secular office, and is minded to hold both a place in the Roman government and an office in the Church, shall be deposed. For the things of Cæsar belong to Cæsar, and the things of God to God.' Balsamon and Zonaras take this canon to mean only the prohibition of holding military offices, because it uses the word *στρατεία*: but I have shewed before, out of Gothofred and others, that the words *στρατεία* and *militia* are used by the Romans in a larger signification, to denote all kinds of secular offices, as well civil as military; and therefore they more rightly interpret this canon[73], who understand it as a prohibition of holding any secular office, civil as well as military, with an ecclesiastical one, as things incompatible and inconsistent with one another. Eusebius informs us, from the Epistle of the Council of Antioch[74], which deposed Paulus Samosatensis, 'that, among other crimes alleged against him, this was one, that he took upon him secular places, and preferred the title of *ducenarius* before that of *bishop*.' The *ducenarii* among the Romans were a sort of civil officers, so called from their receiving a salary of *two hundred sestertia* from the emperor, as Valesius[75] observes out of Dio. And this makes it plain, that the intent of the canons was to prohibit the clergy from meddling with civil offices, as well as military. Only in some extraordinary cases, where the matter was a business of great necessity or charity, we meet with an instance or two of a bishop's joining an ecclesiastical and civil office together without any censure. As Theodoret[76] notes of the famous Jacobus Nisibensis, that he was both bishop and prince, or governor, of

κησιν, καθαιρείσθω· τὰ γὰρ τοῦ Καίσαρος Καίσαρι· καὶ τὰ τοῦ Θεοῦ, Θεῷ.

[73] Bevereg. in Can. cit. (ap. Cotel. ibid. p. 476.).... Nobis autem civilem quamlibet administrationem, magistratum, aut dignitatem hic indigitare videtur; propterea quod per *Ῥωμαϊκὴν ἀρχὴν* proximis verbis explicatur, et *τῇ ἱερατικῇ διοικήσει* opponitur: unde et in Epitome tam Logothetæ quam Aristeni pro *στρατείᾳ σχολάζων* nihil substituitur præter *ἀρχῶν*, vis enim canonis in ea his solis verbis exhibetur, *ἱερεὺς ἀρχῶν ἀνίερος.*

[74] L. 7. c. 30. (v. 1. p. 361. 7.).. ... *Κοσμικὰ ἀξιώματα ὑποδυόμενος, καὶ δουκηνάριος μᾶλλον ἢ ἐπίσκοπος θέλων καλεῖσθαι.*

[75] In loc. cit. (ibid. n. 5.) De procuratoribus ducenariis vide, quæ scripsit Salmasius in Notis ad Historiam Augustam. Sic dicebantur procuratores, qui ducenta sestertia annui salarii nomine accipiebant a principe, ut clare docet Dio in lib. 53. p. 506.

[76] L. 2. c. 30. (v. 3. p. 116. 15.) *Νίσιβις, ἣν Ἀντιόχειαν Μυγδονίας τινὲς ὀνομάζουσιν, ἐν μεθορίῳ κεῖται τῆς Περσῶν καὶ Ῥωμαίων ἡγεμονίας· ταύτης ἐπίσκοπος ἦν καὶ πολιοῦχος καὶ στρατηγὸς Ἰάκωβος.*

Nisibis, or Antioch in Mygdonia, a city in the confines of the Persian and Roman empires. Theodoret represents him as a man of great fame in his country for his miracles, by which he sometimes relieved the city when besieged by the Persians; and it is probable, in regard to this, the emperors Constantine and Constantius pitched upon him as the properest person to take the government of the city upon him, being a place in great danger, and very much exposed to the incursions of the Persians. But such instances are rarely met with in ancient history.

aws prohibiting the lergy to be ıtors and uardians, ow far extended.

10. In some times and places the laws of the Church were so strict about this matter, that they would not suffer a bishop or presbyter to be left *trustee to any man's will*, or a tutor or guardian in pursuance of it; because it was thought this would be too great an avocation from his other business. There is a famous case in Cyprian relating to this matter. He tells us, it had been determined by an African synod that no one should appoint any of God's ministers a curator or guardian by his will, because they were to give themselves to supplications and prayer, and to attend only upon the sacrifice and service of the altar. And therefore[77], when one Geminius Victor had made Geminius Faustinus, a presbyter of the Church of Furni, guardian or trustee by his last will and testament, contrary to the decree of the foresaid Council, Cyprian wrote to the Church of Furni, that they should execute the sentence of the Council against Victor, which was, that no annual commemoration should be made of him in the church, nor any prayer be offered in his name, according to the custom of the Church in those times, in the sacrifice of the altar. This was a sort of excommunication after death, by denying to receive such a person's oblations, and refusing to name him at the altar among others that made their offerings, and neither honouring him with the common prayers or praises that were then put up to God for all the faithful that were dead in the Lord. This was the punishment of such as transgressed this rule in the

[77] Ep. 66. [al. 1.] ad Cler. Furnitan. p. 3. (p. 170.) Et ideo Victor cum, contra formam nuper in Concilio a sacerdotibus datam, Geminium Faustinum, presbyterum, ausus sit tutorem constituere, non est quod pro dormitione ejus apud vos fiat oblatio, aut deprecatio aliqua nomine ejus in ecclesia frequentetur.

days of Cyprian. And in the following ages the canon was renewed, but with a little difference. For though bishops were absolutely and universally forbidden to take this office upon them, both by the ecclesiastical and civil law[78]; yet presbyters and deacons, and all the inferior clergy, were allowed to be tutors and guardians to such persons, as by right of kindred might claim this as a duty from them. But still the prohibition stood in force against their being concerned in that office for any other that were not of their relations; as appears from one of Justinian's Novels[79], which was made to settle this matter in the Church.

Laws against their being sureties, and pleading causes at the bar, in behalf of themselves, or their Churches.

11. By other laws they were prohibited from taking upon them the office of *pleaders* at the bar in any civil contest, though it were in their own case, or the concerns of the Church. Neither might they be *bondsmen* or *sureties* for any other man's appearance in such causes; because it was thought that such sort of encumbrances might bring detriment to the Church, in distracting her ministers from constant attendance upon divine service, as appears both from the foresaid Novel of Justinian[80], and some ancient canons, which forbid a clergyman to become a sponsor in any such cause, under the penalty of deprivation.

Laws against their following secular trades and merchandize.

12. Now as all these offices and employments were forbidden the clergy upon the account of being consumers of their time, and hindrances of divine service; so there were some others prohibited, not only upon this account, but also upon the notion of their being generally attended with covetousness and filthy

[78] Vid. C. Carth. 4. c. 18. (t. 2. p. 1201 c.) Ut episcopus tuitionem testamentorum non suscipiat.

[79] Novel. 123. c. 5. (t. 5. p. 542.) Deo autem amabiles episcopos et monachos ex nulla lege tutores, aut curatores cujuscunque personæ fieri permittimus. Presbyteros autem et diaconos et subdiaconos, jure et lege cognationis, tutelam aut curam suscipere hæreditatis permittimus, &c.

[80] Ibid. c. 6. (p. 542. ad calc. et p. 543.) Alium autem [al. Sed neque] fieri .... aut procuratorem litis, aut fidejussorem pro talibus causis episcopum, aut œconomum, aut alium clericum cujuslibet gradus, aut monachum proprio nomine, aut ecclesiæ aut monasterii, subire non sinimus: ut non per hanc occasionem et sanctis domibus damnum fiat, et sacra ministeria impediantur.—Conf. C. Apost. 20. [al. 19.] (Cotel. [c. 16.] v. 1. p. 438.) Κληρικὸς ἐγγύας διδοὺς, καθαιρείσθω.—Constit. Apost. l. 2. c. 6. (Cotel. ib. p. 216.) Ἔστω δὲ ὁ ἐπίσκοπος .... μὴ ἐγγυώμενός τινα, ἢ συνηγορῶν δίκαις χρηματικαῖς.

lucre. Thus, in the first Council of Carthage[81], we find several prohibitions of clergymen's becoming stewards or accountants to laymen. The third Council[82] forbids both that, and also their taking any houses or lands to farm, and generally all business that was disreputable and unbecoming their calling. The second Council of Arles[83] likewise forbids their farming other men's estates, or following any trade or merchandize for filthy lucre's sake, under the penalty of deprivation. The general Council of Chalcedon has a canon[84] to the same purpose, 'that no monk or clergyman shall rent any estate, or take upon him the management of any secular business, except the law called him to be guardian to orphans, in the case that has been spoken of before, as being their next relation, or else the bishop made him steward of the church-revenues, or overseer of the widows, orphans, and such others as stood in need of the Church's care and assistance.' And here the reason given for making this canon is, that some of the clergy were found to neglect the service of God, and live in laymen's houses as their stewards, for covetousness and filthy lucre's sake. Which was an old complaint made by Cyprian[85], in that sharp invective of his against some of the bishops of his own age, who were so

[81] C. 6. (t. 2. p. 715 e.—Conf. ib. p. 1824 d.) Qui serviunt Deo, et annexi sunt clero, non accedant ad actus seu administrationem vel procurationem domorum.—Ibid. c. 9. (p. 716 d.)... Et ipsis [laicis] non liceat clericos nostros eligere apothecarios vel ratiocinatores.

[82] C. 15. (ibid. p. 1169 e.)..... Clerici non sint conductores, neque procuratores, neque ullo turpi vel inhonesto negotio victum quærant.

[83] Arelatens. 1. al. 2. c. 14. (t. 4. p. 1013 a.) Siquis clericus ... conductor alienæ rei voluerit esse aut turpis lucri gratia aliquod [genus] negotiationis exercuerit, depositus [a clero,] a communione alienus habeatur [al. fiat].

[84] C. 3. (ibid. p. 755 d.) Ἤλθεν εἰς τὴν ἁγίαν σύνοδον, ὅτι τῶν ἐν τῷ κλήρῳ κατειλεγμένων τινὲς δι' οἰκείαν αἰσχροκέρδειαν ἀλλοτρίων κτημάτων γίνονται μισθωταὶ, καὶ πράγματα κοσμικὰ ἐργολαβοῦσι, τῆς μὲν τοῦ Θεοῦ λειτουργίας καταρραθυμοῦντες, τοὺς δὲ τῶν κοσμικῶν ὑποτρέχοντες οἴκους, καὶ οὐσιῶν χειρισμοὺς ἀναδεχόμενοι διὰ φιλαργυρίαν· ὥρισε τοίνυν ἡ ἁγία σύνοδος, μηδένα τοῦ λοιποῦ, μὴ ἐπίσκοπον, μὴ κληρικὸν, μὴ μονάζοντα, ἢ μισθοῦσθαι κτήματα, ἢ πράγματα, ἢ ἐπεισάγειν ἑαυτὸν κοσμικαῖς διοικήσεσι· πλὴν εἰ μή που ἐκ νόμων καλοῖτο εἰς ἀφηλίκων ἀπαραίτητον ἐπιτροπὴν, ἢ ὁ τῆς πόλεως ἐπίσκοπος ἐκκλησιαστικῶν ἐπιτρέψοι φροντίζειν πραγμάτων, ἢ ὀρφανῶν καὶ χηρῶν ἀπρονοήτων, καὶ τῶν προσώπων τῶν μάλιστα τῆς ἐκκλησιαστικῆς δεομένων βοηθείας.

[85] De Lapsis, p. 123. (p. 89.) Episcopi plurimi, divina procuratione contempta, procuratores rerum sæcularium fieri, derelicta cathedra, plebe deserta, per alienas provincias oberrantes, negotiationis quæstuosæ nundinas aucupari, &c.

far gone in this vice of covetousness as to neglect the service of God to follow worldly business; leaving their sees, and deserting their people, to ramble about in quest of gainful trades in other countries, to the provocation of the Divine vengeance, and flagrant scandal of the Church. So that, these being the reasons of making such laws, we are to judge of the nature of the laws themselves by the intent and design of them; which was to correct such manifest abuses, as covetousness and neglect of divine service, which, either as cause or effect, too often attended the clergy's engagement of themselves in secular business.

What li tations exceptic these la admitte

13. But in some cases it was reasonable to presume that their engagements of this nature were separate from these vices. For in some times and places, where the revenues of the Church were very small, and not a competent maintenance for all the clergy, some of them, especially among the inferior orders, were obliged to divide themselves between the service of the Church and some secular calling. Others, who found they had time enough to spare, negotiated out of charity to bestow their gains in the relief of the poor, and other pious uses. And some, who, before their entrance into orders, had been brought up to an ascetic and philosophic life, wherein they wrought at some honest manual calling with their own hands, continued to work in the same manner, though not in the same measure, even after they were made presbyters and bishops in the Church; for the exercise of their humility, or to answer some other end of a Christian life. Now in all these cases, the vices complained of in the forementioned laws as the reasons of the prohibition, had no share or concern; for such men's negotiations were neither the effects of covetousness, nor attended properly with any neglect of divine service; and consequently not within the prohibition and censure of the laws.

For, first, both the laws of Church and State allowed the inferior clergy to work at an honest calling, in cases of necessity, to provide themselves of a liberal maintenance, when the revenues of the Church could not do it. In the fourth Council of Carthage there are three canons[86], immediately following one

[86] C. 51. (t. 2. p. 1204 b.) Clericus, quantumlibet verbo Dei eruditus, artificio victum quærat.—C. 52 (ibid. c.) Clericus victum et vesti-

another, to this purpose; 'that they should provide themselves of food and raiment at some honest trade or husbandry, without hindering the duties of their office in the Church; and such of them as were able to labour should be taught some trade and letters together.' And the laws of the State were so far from hindering this, that they encouraged such of the clergy to follow an honest calling, by granting them a special immunity from the *chrysargyrum*, or *lustral tax*, which was exacted of all other tradesmen, as I have shewed more at large in another place[87].

Secondly. It was lawful also to spend their leisure hours upon any manual trade or calling, when it was to answer some good end of charity thereby; as that they might not be overburdensome to the Church, or might have some superfluities to bestow upon the indigent and needy; or even that they might set the laity a provoking example of industry and diligence in their callings: which were those worthy ends which the holy Apostle St. Paul proposed to himself in labouring with his own hands at the trade of tent-making; after whose example many eminent bishops of the ancient Church were not ashamed to employ their spare hours in some honest labour, to promote the same ends of charity which the Apostle so frequently inculcates. Thus Sozomen[88] observes of Zeno, bishop of Maiuma in Palestine, 'that he lived to be an hundred years old, all which time he constantly attended both morning and evening the service of the Church, and yet found time to work at the trade of a linen-weaver, by which he not only subsisted himself, but relieved others, though he lived in a rich and wealthy Church.' Epiphanius[89] makes a more general observation

mentum sibi, artificiolo vel agricultura, absque officii sui [duntaxat] detrimento, præparet [al. paret].—C. 53. (ibid. c.) Omnes clerici, qui ad operandum validi [al. validiores] sunt, et artificiola et literas discant.

[87] B. 5. ch. 3. s. 6. v. 2. p. 138.

[88] L. 7. c. 28. (v. 2. p. 321. 27.) Φασὶ γοῦν αὐτὸν, μᾶλλον δὲ καὶ ἡμεῖς τεθείμεθα, ἐπισκοποῦντα τὴν ἐν τῷ Μαϊουμᾶ ἐκκλησίαν, ἤδη γηραλέον καὶ ἀμφὶ τὰ ἑκατὸν ἔτη ὄντα, μηδεπώποτε ἑωθινῶν ἢ ἑσπερινῶν ὕμνων, ἢ ἄλλης λειτουργίας τοῦ Θεοῦ κατόπιν γενόμενον, εἰ μήγε νόσος αὐτὸν ἐπέσχεν· ἐν φιλοσοφίᾳ δὲ μοναχικῇ τὸν βίον ἄγων λινῆν ἐσθῆτα ὕφαινεν ἐπὶ μονήρους ἱστοῦ, ἐντεῦθεν τε τὰ ἐπιτήδεια εἶχε, καὶ ἄλλοις ἐχορήγει· καὶ οὐ διέλιπεν ἄχρι τελευτῆς τὸ αὐτὸ διέπων ἔργον, καίπερ ἀρχαιότητι τῶν ἀνὰ τὸ ἔθνος ἱερέων πρωτεύων, καὶ λαῷ καὶ χρήμασι μεγίστης ἐκκλησίας προεστώς.

[89] Hær. 80. Massalian. n. 6. (t. 1. p. 1072 c.) Καὶ γὰρ ἐξ αὐτῶν τοῦ Θεοῦ ἱερέων, καὶ αὐτοὶ μετὰ τοῦ κηρύγματος τοῦ λόγου μιμούμενοι τὸν ἅγιον μετὰ τὸν Θεὸν ἐν Χριστῷ πατέρα, φημὶ δὲ Παῦλον τὸν ἅγιον Ἀπόστολον, καὶ αὐ-

against the Massalian heretics, who were great encouragers of idleness, 'that not only all those of a monastic life, but also many of the priests of God, imitating their holy father in Christ, St. Paul, wrought with their own hands at some honest trade that was no dishonour to their dignity, and consistent with their constant attendance upon their ecclesiastical duties; by which means they had both what was necessary for their own subsistence, and to give to others that stood in need of their relief.' The author of the Apostolical Constitutions[90] brings in the Apostles recommending industry in every man's calling, from their own example, that they might have wherewith to sustain themselves, and supply the needs of others. Which, though it be not an exact representation of the Apostles' practice, for we do not read of any other Apostle's labouring with his own hands, except St. Paul, whilst he preached the Gospel, yet it serves to shew what sense that author had of this matter; that he did not think it simply unlawful for a clergyman to labour at some secular employment when the end was charity, and not filthy lucre. And it is observable, that the imperial laws for some time granted the same immunity from the lustral tax to the inferior clergy, that traded with a charitable design to relieve others, as to those that traded out of necessity for their own maintenance; of both which I have given an account in another place.

Thirdly. We have some instances of very eminent bishops, who, out of humility and love of a philosophical and laborious life, spent their vacant hours in some honest business, to which

τοὶ, κατὰ τὸ δυνατὸν, εἰ καὶ μὴ πάντες, ἀλλ' οἱ πλείους, ταῖς ἰδίαις χερσὶν ἐργαζόμενοι, οἷαν δ' ἀναλόγως συμπρέπουσαν τῷ ἀξιώματι, καὶ τῆς ἐκκλησιαστικῆς φροντίδος ἐνδελεχείᾳ εὔροιεν τέχνην, ὅπως μετὰ τοῦ λόγου καὶ τοῦ κηρύγματος ἡ συνείδησις χαίρῃ, καὶ διὰ χειρῶν ἰδίων καρποφοροῦσα, καὶ ἑαυτῇ ἐπαρκουμένη, τοῖς τε ἀδελφοῖς, καὶ ἐνδεομένοις τὴν μετὰ χεῖρας οἰκονομίαν· ἀπαρχῶν δὲ, φημὶ, καὶ προσφορῶν, καὶ ἐξ αὐτῶν τῶν διὰ χειρῶν εἰργασμένων δι' ὑπερβολὴν διαθέσεως πρὸς Θεὸν, καὶ τοῖς πέλας ἐκουσίως μεταδιδοῦσα· καὶ τοί γε μὴ ἀναγκαζομένων αὐτῶν, μήτε κατακρινομένων, ἀλλὰ δικαιοσύνης πόνους καὶ ἐργασίαν ἐκκλησιαστικὴν ἐχόντων, καὶ κατὰ δικαιοσύνην σιτουμένων, δι' ὑπερβολὴν δὲ προαιρέσεως τοῦτο αὐτῶν ποιούντων.

[90] L. 2. c. 63. (Cotel. v. 1. p. 271.) Οἱ δὲ νεώτεροι τῆς ἐκκλησίας, ἐν πάσαις ταῖς χρείαις ἀόκνως λειτουργεῖν σπουδάζετε· μετὰ πάσης σεμνότητος τοῖς ἔργοις ὑμῶν σχολάζετε, ὅπως ἐν παντὶ τῷ χρόνῳ ὑμῶν ἦτε ἐπαρκοῦντες καὶ ἑαυτοῖς καὶ τοῖς πενομένοις, πρὸς τὸ μὴ ἐπιβαρεῖν τὴν τοῦ Θεοῦ ἐκκλησίαν· καὶ γὰρ ἡμεῖς σχολάζοντες τῷ λόγῳ τοῦ εὐαγγελίου, ὅμως καὶ τῶν ἐπεργιῶν οὐκ ἀμελοῦμεν· οἱ μὲν γάρ εἰσιν ἐξ ἡμῶν ἁλιεῖς· οἱ δὲ, σκηνοποιοί· οἱ δὲ, γῆς ἐργάται· πρὸς τὸ μηδέποτε ἡμᾶς ἀργοὺς εἶναι.

they had been accustomed in their former days. Thus Ruffin[91], and Socrates[92], and Sozomen[93], tell us of Spiridion, bishop of Trimithus in Cyprus, one of the most eminent bishops in the Council of Nice, a man famous for the gift of prophecy and miracles, 'that, having been a shepherd before, he continued to employ himself in that calling, out of his great humility, all his life.' But then he made his actions and the whole tenor of his life demonstrate that he did it not out of covetousness. For Sozomen particularly notes, 'that, whatever his product was, he either distributed it among the poor, or lent it without usury to such as needed to borrow, whom he trusted to take out of his storehouse what they pleased, and return what they pleased, without ever examining or taking any account of them.'

Fourthly, I observe, that those laws which were most severe against the superior clergy's negotiating in any secular business, in cases of necessity allowed them a privilege, which was equivalent to it; that is, that they might employ others to factor for them, so long as they were not concerned in their own persons. For so the Council of Eliberis[94] words it: 'Bishops presbyters and deacons shall not leave their station to follow a secular calling, nor rove into other provinces after fairs and markets. But yet, to provide themselves a livelihood, they may employ a son, or a freeman, or an hired servant, or a friend, or any other: and, if they negotiate, let them negotiate within their own province.' So that all these laws were justly tempered with great wisdom and prudence; that as, on the one hand, the service of God and the needs of his ministers and servants might be supplied together; so, on the other, no en-

[91] L. 1. [al. 10.] c. 5. (p. 220. a. 6.) Hic pastor ovium etiam in episcopatu positus permansit.

[92] L. 1. c. 12. (v. 2. p. 39. 32.) *Διὰ δὲ ἀτυφίαν πολλὴν, ἐχόμενος τῆς ἐπισκοπῆς ἐποίμαινε καὶ τὰ πρόβατα.*

[93] L. 1. c. 11. (ibid. p. 23.) *Ἔθος ἦν τούτῳ τῷ Σπυρίδωνι, τῶν γινομένων αὐτῷ καρπῶν, τοὺς μὲν πτωχοῖς διανέμειν, τοὺς δὲ προῖκα δανίζειν τοῖς ἐθέλουσιν· οὔτε δὲ διδοὺς, οὔτε ἀπολαμβάνων, δι' ἑαυτοῦ παρεῖχεν ἢ ὑπεδέχετο· μόνον δὲ τὸ ταμεῖον ἐπιδεικνὺς ἐπέτρεπε τοῖς προσιοῦσιν, ὅσον δέονται κομίζεσθαι, καὶ πάλιν ἀποδιδόναι ὅσον ἤδεσαν κομισάμενοι.*

[94] C. 19. [al. 18.] (t. 1. p. 972 e.) Episcopi, presbyteri, et diaconi, de locis suis negotiandi causa non discedant, nec circumeuntes provincias quæstuosas nundinas sectentur. Sane ad victum sibi conquirendum, aut filium, aut libertum, aut mercenarium, aut amicum, aut quemlibet mittant: et si voluerint negotiari, intra provinciam negotientur.

couragement should be given to covetousness in the clergy, nor any one be countenanced in the neglect of his proper business, by a license to lead a wandering, busy, distracted life, which did not become those that were dedicated to the sacred function. It is against these only that all the severe invectives of St. Jerom[95], and others of the Ancients[96], are levelled, which the reader must interpret with the same limitations and distinction of cases as we have done the public laws; the design of both being only to censure the vices of the rich, who, without any just reason or necessity, immersed themselves in the cares of a secular life, contrary to the rules and tenor of their profession.

Laws respecting their outward conversation.

14. Another sort of laws were made respecting their outward behaviour, to guard them equally against scandal in their character, and danger in their conversation. Such were the laws against *corresponding and conversing too familiarly with Jews and Gentile philosophers.* The Council of Eliberis[97] forbids them to eat with the Jews, under pain of suspension. The Council of Agde[98] has a canon to the same purpose, forbidding them to give as well as receive an entertainment from the Jews. And those called the Apostolical Canons[99] not only prohibit them 'to fast or feast with the Jews, but to receive *τῆς ἑορτῆς ξένια,* any of those portions or presents, which they were used to send to one another upon their festivals.' And the laws against conversing with Gentile philosophers

[95] Ep. 2. [al. 52.] ad Nepotian. (t. 1. p. 257 c.) Negotiatorem clericum, et ex inope divitem, ex ignobili gloriosum, quasi quamdam pestem fuge.

[96] Sulp. Sever. Hist. l. 1. p. 30. (p. 120.) Tanta hoc tempore animas eorum habendi cupido veluti tabes, incessit: inhiant possessionibus; prædia excolunt; auro incubant; emunt venduntque; quæstui per omnia student. At si qui melioris propositi videntur, neque possidentes neque negotiantes, quod est multo turpius, sedentes munera exspectant, atque omne vitæ decus mercede corruptum habent, dum quasi venalem præferunt sanctitatem.

[97] C. 1. (t. 1. p. 976 b.) Si vero quis clericus vel fidelis cum Judæis cibum sumpserit, placuit eum a communione abstinere, ut debeat emendari.

[98] C. 40. (t. 4. p. 1390 a.) Omnes deinceps clerici, sive laici, Judæorum convivia evitent: nec eos ad convivium quisquam excipiat.

[99] C. 70. [al. 69.] (Cotel. [c. 62.] v. 1. p. 446.) Εἴ τις ἐπίσκοπος, ἢ πλλος κληρικὸς, [al. ἢ πρεσβύτερος, ἢ διάκονος, ἢ ὅλως τοῦ καταλόγου τῶν κληρικῶν,] νηστεύοι μετὰ τῶν Ἰουδαίων, ἢ ἑορτάζει [al. συνεορτάζει] μετ' αὐτῶν, ἢ δέχεται αὐτῶν [al. δέχοιτο παρ' αὐτῶν] τὰ τῆς ἑορτῆς ξένια, οἷον ἄζυμα, ἢ τί τοιοῦτον, καθαιρείσθω· εἰ δὲ λαϊκὸς, ἀφοριζέσθω.

were much of the same nature. For Sozomen[1] says, Theodotus, bishop of Laodicea in Syria, excommunicated the two Apollinarii, father and son, because they went to hear Epiphanius, the sophist, speak his hymn in the praise of Bacchus: which was not so agreeable to their character, the one being a presbyter, the other a deacon in the Christian Church. It was in regard to their character, likewise, that other canons restrained them from eating or drinking in a tavern, except they were upon a journey, or some such necessary occasions required them to do it. For among those called the Apostolical Canons[2], and the decrees of the Councils of Laodicea[3] and Carthage[4], there are several rules to this purpose; the strictness of which is not much to be wondered at, since Julian required the same caution in his heathen priests, that 'they should neither appear at the public theatres, nor in any taverns, under pain of deposition from their office of priesthood,' as may be seen in his letter to Arsacius, high-priest of Galatia, which Sozomen[5] records, and other fragments of his writings.

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15. To this sort of laws we may reduce those ancient rules which concerned *the garb and habit* of the ancient clergy; in which such a decent mean was to be observed, as might keep them from obloquy and censure on both hands, either as too nice and critical, or too slovenly and careless in their dress: their habit being generally to be such as might express the

[1] L. 6. c. 25. (ibid. p. 251. 15.) *Ἔτι γὰρ Θεοδότου .... τὴν Λαοδικέων ἐκκλησίαν ἰθύνοντος, κατ' ἐκεῖνο καιροῦ διαπρέπων Ἐπιφάνιος, ὁ σοφιστὴς, ὕμνον εἰς τὸν Διόνυσον παρῆγε· διδασκάλῳ δὲ αὐτῷ χρώμενος Ἀπολλινάριος, ἔτι γὰρ νέος ἦν, παρεγένετο τῇ ἀκροάσει σὺν τῷ πατρί· ὁμώνυμος δὲ αὐτῷ, γραμματικὸς οὐκ ἄσημος· .. μαθὼν ταῦτα Θεόδοτος ὁ ἐπίσκοπος, χαλεπῶς ἤνεγκε .. Ἀπολλιναρίῳ ἄμφω, τὴν ἁμαρτίαν δημοσίᾳ ἐλέγξας, τῆς ἐκκλησίας ἀφώρισεν· ἦστην γὰρ κληρικὼ, ὁ μὲν πατὴρ, πρεσβύτερος· ὁ δὲ παῖς, ἀναγνώστης ἔτι τῶν ἱερῶν γραφῶν.*

[2] C. 55. [al. 53.] (Cotel. [c. 46.] v. 1. p. 445.) *Εἴ τις κληρικὸς ἐν καπηλείῳ φωραθῇ* [al. *φωραθείη*] *ἐσθίων, ἀφοριζέσθω, παρὲξ τοῦ ἐν πανδοχείῳ ἐν ὁδῷ δι' ἀνάγκην καταλύσαντος.*

[3] C. 24. (t. 1. p. 1501 a.) *Ὅτι οὐ δεῖ ἱερατικοὺς ἀπὸ πρεσβυτέρων ἕως διακόνων, καὶ ἐξῆς τῆς ἐκκλησιαστικῆς τάξεως ἕως ὑπηρετῶν, ἢ ἀναγνωστῶν, ἢ ψαλτῶν, ἢ ἐπορκιστῶν, ἢ θυρωρῶν, ἢ τοῦ τάγματος τῶν ἀσκητῶν, εἰς καπηλεῖον εἰσιέναι.*

[4] Carth. 3. c. 27. (t. 2. p. 1171 b.) Ut clerici, edendi vel bibendi causa, tabernas non ingrediantur, nisi peregrinationis necessitate compulsi.

[5] L. 5. c. 16. (v. 2. p. 203. 48.) *Ἔπειτα παραίνεσον ἱερέα, μήτε θεάτρῳ παραβάλλειν, μήτε ἐν καπηλείῳ πίνειν, ἢ τέχνης τινὸς καὶ ἐργασίας αἰσχρᾶς καὶ ἐπονειδίστου προΐστασθαι. καὶ τοὺς μὴν πειθομένους τίμα· τοὺς δὲ ἀπειθοῦντας ἐξώθει.*—Vid. Julian. Fragment. Ep. (p. 547.)

gravity of their minds without any superstitious singularities, and their modesty and humility without affectation. In this matter, therefore, their rules were formed according to the customs and opinions of the age, which are commonly the standard and measure of decency and indecency in things of this nature. Thus, for instance, long hair, and baldness by shaving the head or beard, being then generally reputed indecencies in contrary extremes, the clergy were obliged to observe a becoming mediocrity between them. This is the meaning of that controverted canon of the fourth Council of Carthage, according to its true reading[6], 'that a clergyman shall neither indulge long hair, nor shave his beard,—*clericus nec comam nutriat, nec barbam radat.*' The contrary custom being now in vogue in the Church of Rome, Bellarmin[7] and many other writers of that side, who will have all their ceremonies to be apostolical, and to contain some great mystery in them, pretend that the word *radat* should be left out of that ancient canon, to make it agreeable to the present practice. But the learned Savaro[8] proves the other to be the true reading, as well from the Vatican as many other MSS. And even

[6] C. 44. (t. 2. p. 1203 e.) [Vid. Not. in loc. · Alias *barbam tondeat*: ita in Libro Gemblacensi. Alias *barbam radat* additur in Libro Gandensi S. Bavonis, titulo Statuta Ecclesiæ antiqua. Pleraque autem exemplaria non habent, *radat* vel *tondeat*, ut sit sensus, clerico nec comam nec barbam nutriendam. Ed.]

[7] De Monachis, l. 2. c. 40. (t. 2. p. 495 a.) Concilium Carthag. 4. c. 43. prohibet clericos alere comam aut barbam.

[8] Not. in Sidon. l. 4. Ep. 24. (p. 306.) Sicut clerici comam tondebant, ita barbam promittebant. Concil. Carthag. 4. c. 44. *Clericus neque comam nutriat, neque barbam radat.* Sic manuscripta Vaticanæ Bibliothecæ, S. Victoris Gandensis; meus et Isidori liber, Parisiis impressus, recte; quod *radat* erasum est ex Decreto Burchardi, l. 2. c. 174., Ivonis parte 6. c. 265., et ex c. 5. Extrav. de Vita et Honest. Clericorum, a quodam malegeniato et feriato homine, qui una litura maximas altercationes excitavit, barbamque sacerdotibus erasit, malo exemplo. Nam sive illud ex Concilio Carthaginiensi sumptum sit, in illo legitur, *Neque barbam radat*: si ex Decretis Aniceti Papæ, in illis nulla barbæ mentio est. Dist. 23., Can. Clericis. Usuard. 15. Kal. Maii, Pontific. c. 12. Innocent. III. Ep. 2. ad Tardisinum, et Marianus Scotus in Chronico; qui omnes auctores inter sanctiones Aniceti barbæ rasionem non numerant. Martinus quidem Polonus in Chronico, et Petrus de Natalibus, l. 4. c. 57., constitutionem, qua coma et barba simul clericis prohibetur, Aniceto tribuunt, sed quo auctore nescio. Scio quidem et liquido scio, ex traditione Apostolorum esse barbam alere. S. Clemens, Constit. Apostolic. l. 1. c. 3. Clemens Alex., Pædag. l. 3. c. 3. D. Cyprianus, l. 3. ad Quirinum, c. 85. et Epiphanius, l. 3. t. 2. Hæres. 80. Præterquam quod Apostolorum icones omnem dubitationem abstergunt. Vide Levit. 19. [v. 27. *Ye shall not round the corners of your heads, neither shalt thou mar the corners of thy beard.* Ed.]

Spondanus himself[9] confesses as much, and thereupon takes occasion to correct Baronius, for asserting that, in the time of Sidonius Apollinaris, it was the custom of the French bishops to shave their beards; whereas the contrary appears from one of Sidonius's Epistles, that their custom then was to wear short hair and long beards, as he describes his friend Maximus Palatinus, who of a secular was become a clergyman: he says[10], 'his habit, his gait, his modesty, his countenance, his discourse, were all religious; and, agreeably to these, his hair was short and his beard long.' Custom, it seems, had then made it decent and becoming; and upon that ground the Ancients are sometimes pretty severe against such of the clergy as transgressed in this point, as guilty of an indecency in going contrary to the rules and customs of the Church, which were to be observed, though the thing was otherwise in itself of an indifferent nature.

The tonsure of the ancients very different from that of the Romish Church.

16. The Romanists are generally as much to blame in their accounts of the ancient tonsure of the clergy; which they describe in such a manner, as to make parallel to that shaving of the crown of the head by way of mystical rite, which is now the modern custom. Whereas this was so far from being required as a matter of decency among the Ancients, that it was condemned and prohibited by them. Which may appear from that question which Optatus puts to the Donatists[11], when he asks them, 'Where they had a command to shave the heads of the priests?' as they had done by the Catholic clergy, in order to bring them to do public penance in the church. In which case, as Albaspinæus rightly notes[12], 'it was customary

[9] Epit. Baron. an. 58. n. 58. (t. 1. p. 132 summ.) Nam sacerdotes Galliarum Sidonius [Ep. 13. l. 4.] docet corona decoros et barba rasos fuisse: servare autem in his locorum consuetudinem, ut secundum cujusque provinciæ mores vel barbati vel attonsi incederent, velut lege quadam fuisse præscriptum, ex eo saltem facile potest perspici, quod cum sæpissime occidentales cum orientalibus ad concilia convenissent, nulla umquam exorta hujus rei gratia controversia reperitur, &c.

[10] L. 4. Ep. 24. (p. 302.) Habitus viro, gradus, pudor, color, sermo religiosus: tum coma brevis, barba prolixa, &c.

[11] Cont. Parmen. l. 2. p. 58. (p. 54.) Docete, ubi vobis mandatum est radere capita sacerdotum, cum e contrario sint tot exempla proposita, fieri non debere. . . . . Qui parare debebas aures ad audiendum parasti novaculam ad delinquendum.

[12] In loc. p. 141. (ibid. ad calc not. m.) Pœnitentium capita radebantur, et cinere aspergebantur: itaque cum sacerdotibus pœnitentiam imponerent Donatistæ, eis capita radebant.

to use shaving to baldness, and sprinkling the head with ashes, as signs of sorrow and repentance. But the priests of God were not to be thus treated.' Which shews that the Ancients then knew nothing of this, as a ceremony belonging to the ordination or life of the clergy. Which is still more evident from what St. Jerom says upon those words of Ezekiel, 44, 20, "Neither shall they shave their heads, nor suffer their locks to grow long; they shall only poll their heads." 'This,' says he[13], 'evidently demonstrates, that we ought neither to have our heads shaved, as the priests and votaries of Isis and Serapis, nor yet to suffer our hair to grow long, after the luxurious manner of barbarians and soldiers, but that priests should appear with a venerable and grave countenance; neither are they to make themselves bald with a razor, nor poll their heads so close that they may look as if they were shaven; but they are to let their hair grow so long that it may cover their skin.' It is impossible now for any rational man to imagine, that Christian priests had shaven crowns in the time of St. Jerom, when he so expressly says they had not, and that none but the priests of Isis and Serapis had. But the custom was to poll their heads, and cut their hair to a moderate degree: not for any mystery that was in it, but for the sake of decency and gravity; that they might neither affect the manners of the luxurious part of the world, which prided itself in long hair, nor fall under contempt and obloquy by an indecent baldness; but express a sort of venerable modesty in their looks and aspects; which is the reason that St. Jerom assigns for the ancient tonsure.

17. From hence we may further conclude, that the ancient clergy were not called *coronati* from their shaven crowns, as some would have it, since it is evident there was no such thing among them. But it seems rather a name given them, as

Of the *corona clericalis*, and why the clergy called *coronati*

[13] L. 13. in Ezek. c. 44. p. 668. (t. 5. p. 547 b.) Quod autem sequitur, *Caput autem suum non radent, &c.*, perspicue demonstratur, nec rasis capitibus, sicut sacerdotes cultoresque Isidis atque Serapidis, nos esse debere; nec rursum comam demittere, quod proprie luxuriosorum est, barbarorumque et militantium; sed ut honestus habitus sacerdotum facie demonstretur; nec calvitium novacula esse faciendum, nec ita ad pressum tondendum caput, ut rasorum similes esse videamur; sed in tantum capillos esse demittendos, ut operta sit cutis.

Gothofred[14] and Savaro[15] conjecture, from the form of the ancient tonsure; which was made in a circular figure, by cutting away the hair a little from the crown of the head, and leaving a round or circle hanging downwards. This in some Councils[16] is called *circuli corona*, and ordered to be used in opposition to some heretics, who, it seems, prided themselves in long hair and the contrary custom. But I am not confident that this was the reason of the name *coronati*. It might be given the clergy in general, out of respect to their office and character, which was always of great honour and esteem: for *corona* signifies honour and dignity in a figurative sense, and it is not improbable but that the word was sometimes so used in this case, as has been noted before[17] in speaking of the form of saluting bishops *per coronam*.

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18. As to the kind or fashion of *their apparel*, it does not appear for several ages that there was any other distinction observed therein between them and the laity, save that they were more confined to wear that which was modest and grave, and becoming their profession, without being tied to any cer-

[14] In Cod. Theod. l. 16. tit. 2. de Episc. et Cler. leg. 38. (t. 6. p. 77. col. dextr.) Cur autem *coronatorum*, appellatione clerici designentur, proclive dictu. Nempe ob ξύρισμα γυροειδές. *Corona* scilicet jam hoc tempore insigne clericorum; et exinde clericalis reverentiæ per Africam saltem, mox alibi nomen fuit: sic quidem ut quemadmodum purpuram, quæ principis παράσημον insigne erat, interdum pro principe et principali reverentia sumebant, ita et *coronam* pro clero et reverentia clericali acciperent.

[15] Not. in Sidon. l. 6. Ep. 3. ad verba, *Auctoritas coronæ tuæ;* (p. 386.) Id est, Dignitas episcopatus tui. D. Hieronymus Augustino, Ep. 81. tot., *Precor coronam tuam.* Ennodius Marcellino episcopo: *Quia fiduciæ meæ coronam vestram non ambigo responsuram.* Idem Aureliano: *Sed dormiunt apud coronam tuam propinquitatis privilegia, priusquam pater esse meruisti.* Idem Symmacho Papæ: *Dum sedem apostolicam coronæ vestræ cura moderetur. Corona episcopalis*, Valentiniano Augustin. Novella de Episcop. Ordinatione, l. 7., *De minimis videlicet rebus coronam tuam maximisque consulerem*, ubi plura. Interim observabis *papas* exinde dictos, id est, *coronatos*, si quibusdam fides habeatur. Remigius Antissiodorensis de Celebratione Missæ: *Papa autem secundum quosdam dicitur admirabilis vel coronatus, &c.* Et tonsura clerica et episcopalis corona, Balsamoni, Sextæ Synodi in Trullo c. 21. Παπαλήτρα dicitur corona clericatus in Pragmatico Constantini ad Sylvest. Papam.

[16] C. Tolet. 4. c. 41. (t. 5. p. 1716 d.) Omnes clerici, vel lectores, sicut Levitæ et sacerdotes, detonso superius toto capite, inferius solam circuli coronam relinquant: non sicut huc usque in Galliæ partibus facere lectores videntur, qui prolixis, ut laici, comis, in solo capitis apice modicum circulum tondent. Ritus enim iste in Hispania huc usque hæreticorum fuit, &c.

[17] B. 2. ch. 9. s. 5. v. 1. p. 117.

tain garb or form of clothing. Several Councils require the clergy to wear apparel suitable to their profession; but they do not express any kind, or describe it otherwise than that it should not border upon luxury or any affected neatness, but rather keep a medium between finery and slovenliness. This was St. Jerom's direction to Nepotian[18]: 'that he should neither wear black nor white clothing: for gaiety and slovenliness were equally to be avoided; the one savouring of niceness and delicacy, and the other of vainglory.' Yet in different places different customs seem to have prevailed, as to the colour of their clothing. For at Constantinople, in the time of Chrysostom and Arsacius, the clergy commonly went in black, as the Novatians did in white. Which appears from the dispute which Socrates speaks of between Sisinnius, the Novatian bishop, and one of Arsacius's clergy: for he says[19], 'Sisinnius going one day to visit Arsacius, the clergyman asked him, why he wore a garment which did not become a bishop? and where it was written that a priest ought to be clothed in white? To whom he replied, You first show me where it is written that a bishop ought to be clothed in black.' From this it is easy to collect, that by this time it was become the custom at Constantinople for the clergy to wear black; and that perhaps to distinguish themselves from the Novatians, who affected, it seems, to appear in white. But we do not find these matters as yet so particularly determined or prescribed in any Councils. For the fourth Council of Carthage[20] requires the clergy to wear such apparel as was suitable to their profession, but does not particularize any further about it, save that they should not affect any finery or gaiety in their shoes or clothing. And the Council of Agde[21] gives the very same direction. Baronius[22], indeed, is

[18] Ep. 2. [al. 52.] ad Nepotian. c. 9. tot. (t. 1. p. 262 a.) Vestes pullas æque devita, ut candidas. Ornatus ut sordes pari modo fugiendæ sunt; quia alterum delicias, alterum gloriam redolet, &c.

[19] L. 6. c. 22. (v. 2. p. 340. 23.) *Ἄλλοτε δὲ Ἀρσάκιον τὸν ἐπίσκοπον κατὰ τιμὴν ὁρῶν* [Σισίννιος] *ἠρωτήθη ὑπό τινος τῶν περὶ Ἀρσάκιον, διὰ τί ἀνοίκειον ἐπισκόπῳ ἐσθῆτα φοροίη, καὶ ποῦ γέγραπται λευκὰ τὸν ἱερωμένον ἀμφιέννυσθαι; ὁ δὲ, σὺ πρότερον, ἔφη, εἰπὲ, ποῦ γέγραπται μέλαιναν ἐσθῆτα φορεῖν τὸν ἐπίσκοπον;*

[20] C. 45. (t. 2. p. 1204 a.) Clericus professionem suam et in habitu et in incessu probet: et ideo nec vestibus nec calceamentis decorem quærat.

[21] C. 20. (t. 4. p. 1386 d.)...Vestimenta vel calceamenta etiam eis, nisi quæ religionem deceant, uti aut [al. vel] habere non liceat.

[22] An. 261. nn. 43, 44. (t. 2. p. 559 b.) Cum Acta Cypriani Passionis habeant, ipsum lacernum birrum

very earnest to persuade his reader, that bishops in the time of Cyprian wore the same habit that is now worn by cardinals in the Church of Rome, and such bishops as are advanced from a monastery to the episcopal throne. As if Cyprian had been a monk or a cardinal of the Church of Rome. But, as the learned editor[23] of Cyprian's works observes, there is scarce any thing so absurd that a man, who is engaged in a party-cause, cannot persuade himself to believe, and hope to persuade others also. For is it likely that bishops and presbyters should make their appearance in public in a distinct habit, at a time when tyrants and persecutors made a most diligent search after them to put them to death? Do the clergy of the present Church of Rome use to appear so in countries where they live in danger of being discovered and taken? But what shall we say to the writer of Cyprian's Passion, who mentions Cyprian's[24] *lacerna* or *birrus*, and after that his *tunica* or *dalmatica*, and last of all his *linea*, in which he suffered? Of which Baronius makes the *linea* to be the bishop's rochet; and the *dalmatica* or *tunica*, that which they now call the loose tunicle; and the *lacerna* or *birrus*, the red silken vestment that covers the shoulders. Why, to all this it may be said, that these are only old names for new things. For besides the absurdity of thinking that Cyprian should go to his martyrdom in his sacred and pontifical robes, which were not to be worn out of the church, it is evident that these were but the names of those common garments which many Christians then used without distinction. [F. Simon[25] speaking of the canons of the

complicuisse, et ad genua posuisse, illud fuisse perbreve, ac parvi negotii operam egisse demonstrant: nam non sic de tunica eum fecisse, sed diaconis dedisse tradunt. Ex his itaque jam exploratum haberi videtur, episcoporum fuisse antiquum habitum, ut post vestem superinduerent lineam, et desuper eam solutam tunicam, ac denique humeros tantum tegens et brachia lacernum birrum: quo genere indumenti hodie videmus uti sanctæ Romanæ ecclesiæ cardinales atque episcopos illos, qui ex regularibus ad eam dignitatem provecti sunt: Romanum vero pontificem birro absque tunica super lineam, sed serico atque rufo, interdum vero albo pro temporis ratione.

[23] Bp. Fell, Not. in Vit. Cypr. p. 13. (p. 14. n. 7.) Nihil certe est, de quo partium studio addicti sibi non possunt persuadere et etiam sperare ut aliis persuadeant.

[24] Pass. Cypr. p. 13. (p. 14.)..... Cyprianus in agrum Sexti productus est, et ibi se lacerna birri [al. birro] exspoliavit... Et cum se dalmatica [al. tunica] exspoliasset, et diaconibus tradidisset, in linea stetit, et cœpit spiculatorem sustinere.

[25] [Bibl. Critique, v. 3. n. 31., cited by Mr. La Roche, Memoirs of Literature, v. 2. p. 3. (Lond. 1722. v. 1. p. 3.) Ed.]

Synods of Poictiers and Langres, anno 1396 and 1404, says the clergy did not then wear clothes of a particular colour; they were only forbidden to wear red, green, or any other such colour. In former times there was no distinction of clothes between the clergy and the laity: all men of any note wore long clothes, as one may see in old pictures. None but the common people wore short ones; which occasioned the word *courtant de boutique*. None were then called gownmen; but because short clothes appeared by degrees to be very convenient, they grew fashionable. However, the magistrates and the clergy continued to wear long clothes: an ecclesiastic could not wear a short gown, reaching no lower than his knee, without acting against his character.]

A particular account of the *birrus* and *pallium*.

19. As to the *birrus*, it is evident that it was no peculiar habit of bishops, no, nor yet of the clergy. That it was not peculiar to bishops, appears from what St. Austin[26] says of it, that it was the common garment which all his clergy wore as well as himself. And therefore if any one presented him with a richer *birrus* than ordinary, he would not wear it. 'For, though it might become another bishop, it would not become him, who was a poor man, and born of poor parents. He must have such an one as a presbyter could have, or a deacon, or a subdeacon. If any one gave him a better, he was used to sell it; that, since the garment itself could not be used in common, the price of it at least might be common.' This shews plainly that the *birrus* was not the bishop's peculiar habit, but the common garment of all St. Austin's clergy. And that this was no more than the common *tunica*, or *coat*, worn generally by Christians in Afric and other places, may appear from a canon of the Council of Gangra[27], made against Eustathius the he-

[26] Serm. 50. de Divers. t. 10. p. 523. [al. Serm. 356.] (t. 5. p. 1389 e.).... Offerat mihi, verbi gratia, birrum pretiosum; forte decet episcopum, quamvis non deceat Augustinum, id est, hominem pauperem et de pauperibus natum. Modo dicturi sunt homines, quia inveni pretiosas vestes, quas non potuissem habere vel in domo patris mei, vel in illa seculari professione mea. Non decet. Talem debeo habere, qualem possim, si non habuerit, fratri meo dare. Qualem potest habere presbyter; qualem potest habere decenter diaconus et subdiaconus, talem volo accipere. Si quis meliorem dederit, vendo, quod et facere soleo: ut quando non potest vestis esse communis, pretium vestis sit commune.

[27] In Præfat. (t. 2. p. 413 e.) ... *Ξένα ἀμφιάσματα ἐπὶ καταπτώσει τῆς κοινότητος τῶν ἀμφιασμάτων συνάγοντες.*

retic, and his followers, who condemned the common habit, and brought in the use of a strange habit in its room. Now this common habit was the *birrus*, or βῆρος, as they call it in the canon made against them, which runs in these words[28]: 'If any man uses the *pallium*, or *cloak*, upon the account of an ascetic life, and, as if there were some holiness in that, condemns those that with reverence use the *birrus* and other garments that are commonly worn, let him be anathema.' The *birrus* then was the common and ordinary coat which the Christians of Paphlagonia and those parts generally wore; and though the ascetics used the περιβόλαιον, the philosophic *pallium*, or *cloak*, yet the clergy of that country used the common *birrus*, or *coat*. For Sozomen[29], in relating the same history, instead of βῆρος uses the word χίτων, which is a more known name for the Latin *tunica*, or *coat;* and he also adds, 'that Eustathius himself, after the synod had condemned him, changed his philosophic habit, and used the same garb that the secular presbyters wore.' Which plainly evinces that as yet the clergy in those parts did not distinguish themselves by their habit from other Christians, though the ascetics generally did. In the French Churches, several years after this, we find the clergy still using the same secular habit with other Christians. And when some endeavoured to alter it, and introduce the ascetic or philosophic habit among them, Celestine, bishop of Rome, wrote a reprimanding letter to them, asking[30], 'why that habit, the cloak, was used in the French Churches, when it had been the custom of so many bishops, for so many years, to use the common habit of the people? from whom the clergy were to be distinguished by their doctrine, and not by their

[28] Id. C. 12. (ibid. p. 419 d.) Εἴ τις ἀνδρῶν διὰ νομιζομένην ἄσκησιν περιβολαίῳ χρῆται, καὶ, ὡς ἂν ἐκ τούτου τὴν δικαιοσύνην ἔχων, καταψηφίσοιτο τῶν μετ' εὐλαβείας τοὺς βήρους φορούντων, καὶ τῇ ἄλλῃ κοινῇ καὶ ἐν συνηθείᾳ οὔσῃ ἐσθῆτι κεχρημένων, ἀνάθεμα ἔστω.

[29] L. 3. c. 14. (v. 2. p. 115. 35.) ... Χιτῶνας μὲν συνήθεις καὶ στολὰς μὴ ἀνεχομένους ἀμφιέννυσθαι.—Ibid. (p. 116. 4.) Ἐντεῦθεν δὲ λόγος, Εὐστάθιον ἐπιδεικνύμενον ὡς οὐκ αὐθαδείας ἕνεκα, ἀλλὰ τῆς κατὰ Θεὸν ἀσκήσεως εἰσηγεῖτο ταῦτα καὶ ἐπιτηδεύοι, ἀμεῖψαι τὴν στολὴν, καὶ παραπλησίως τοῖς ἄλλοις ἱερεῦσι τὰς πρόοδους ποιήσασθαι.

[30] Ep. 2. ad Episc. Gall. c. 1. (CC. t. 2. p. 1619 c.) Unde hic habitus in ecclesiis Gallicanis, ut tot annorum tantorumque pontificum in alterum habitum consuetudo vertatur? Discernendi a plebe vel cæteris sumus doctrina, non veste; conversatione, non habitu: mentis puritate, non cultu.

by their conversation, not their habit; by the purity of uls, rather than their dress.' But yet I must observe, some places the ascetics, when they were taken into the y of the Church, were allowed to retain their ancient phic habit without any censure. Thus St. Jerom[31] ob- f his friend Nepotian, that he kept to his philosophic habit, *lium*, after he was ordained presbyter, and wore it to of his death. He says the same of Heraclas[32], pres- f Alexandria, that he continued to use his philosophic hen he was presbyter. Which is noted also by Euse- it of Origen, who says[33], 'that when Heraclas entered in the school of philosophy, under Ammonius, he then ide the common garb, and took the philosophic habit, hich he sat in the presbytery of Alexandria.' Upon Valesius[34] very rightly observes, 'that there was then liar habit of the clergy, forasmuch as Heraclas always l his philosophic *pallium;*' which was the known habit ascetics, but as yet was very rarely used among the who wore generally the common habit, except when uch philosophers and ascetics came among them. For e see it was noted as something rare and singular in as: but in after ages, when the clergy were chiefly out of the monks and ascetics, the philosophic habit i by degrees with them, and was encouraged, till at last ne the most usual habit of the clergy of all sorts. But s not till the fifth or sixth century, as may be collected hat has been said before on this subject.

But some perhaps may think the clergy had always a habit, because some ancient authors take notice of the *m* as a garment worn by bishops and presbyters in the re ages. For Epiphanius, speaking of Arius, while he esbyter of Alexandria, says[35] he always wore the *colo-*

Of the colobium, dalmatica, caracalla, hemiphorium, and linea.

taph. Nepotian. Ep. 3. [al. Heliodor. (t. 1. p. 339 b.)] pallium, manus extendere, uod alii non videbant ..... re illum non emori, sed , et mutare amicos, non re.

Scriptor. Eccles. c. 54. (t. 2. ..... Heraclam, presbyte- i sub habitu philosophi per- t, &c.

. c. 19. (v. 1. p. 283. 4.) ... Πρότερον κοινῇ ἐσθῆτι χρώμενος, ἀποδυσάμενος καὶ φιλόσοφον ἀναλαβὼν σχῆμα μεχρὶ τοῦ δεῦρο τηρεῖ.

[34] In loc. (ibid. n. 2.) Ex his apparet, nullum etiam tum peculiarem fuisse vestitum clericorum, quandoquidem Heraclas .... philosophicum pallium semper retinuit.

[35] Hær. 69. Arian. n. 3. (t. 1. p. 729 a.) Ἡμιφόριον γὰρ ὁ τοιοῦτος ἀεὶ, καὶ κολοβίωνα ἐνδιδυσκόμενος, κ. τ. λ.

bium **or** ***hemiphorium.*** **And Pius, bishop of Rome, in his Epistle to Justus, bishop of Vienna, which by many is reckoned genuine, speaks[35] of Justus as wearing a** ***colobium*** **also. But this was no more than the** ***tunica,*** **of which there were two sorts, the** ***dalmatica*** **and** ***colobium,*** **which differed only in this respect, that the** ***colobium*** **was the short coat without long sleeves, so called from** ***κολοβὸς***[36]**,** ***curtus;*** **but the** ***dalmatica*** **was the** ***tunica manicata et talaris, the long coat with sleeves.*** **Both which were used by the Romans, though the** ***colobium*** **was the more common, ancient, and honourable garment. As appears from Tully[37], who derides Catiline's soldiers, because they had their** ***tunicæ manicatæ et talares;*** **whereas the ancient Romans were used to wear the** ***colobia,*** **or** ***short coats without long sleeves;*** **as Servius[38] and St. Jerom[39] after him observe from this place of Tully. So that a bishop's or a presbyter's wearing a** ***colobium*** **means no more, when the hard name is explained, but their wearing a common Roman garment. Which is evident from one of the laws of Theodosius the Great, made about the habits which senators were allowed to use within the walls of Constantinople, where they are forbidden[40] to wear the soldier's coat, the** *chlamys*, **but allowed to use the** *colobium* **and** *penula*, **because these were civil habits, and vestments of peace.**

The *dalmatica*, **or as it was otherwise called** *χειρόδετος*, **or** *tunica manicata*, **because it had** *sleeves down to the hands,*

[35] Ep. 2. ad Just. Vienn. (CC. t. 1. p. 577 a.) Tu vero apud senatoriam urbem Viennensem ejus loco a fratribus constitutus et colobio episcoporum vestitus, vide, ut ministerium quod accepisti, in Domino impleas.

[36] [Hence *colobium* is the more correct term, and I have adopted it accordingly, though the Author wrote *collobium*. Ed.]

[37] Orat. 2. in Catilin. n. 22. [al. 10.] (v. 5. p. 1953.) Postremum autem genus est, non solum numero, verum etiam genere ipso atque vita, quod proprium est Catilinæ, de ejus de ecto, immo vero de complexu ejus ac sinu: quos pexo capillo nitidos, aut imberbes, aut bene barbatos videtis, manicatis et talaribus tunicis, velis amictos, non togis.

[38] In Virg. Æn. 9. v. 616. (Col. Allobr. 1620. p. 583.) *Et tunicæ manicas, et habent redimicula mitræ.* Tunicæ vestræ habent manicas, quod etiam Cicero vituperat, dicens, *manicatis et talaribus tunicis.* Nam colobiis utebantur antiqui.

[39] Quæst. Hebr. in Gen. 37, 32. t. 3. p. 222. (t. 3. p. 363 c.) Pro *varia tunica* .... Symmachus interpretatus est *tunicam manicatam;* sive quod ad talos usque descenderet, ... sive quod haberet manicas; antiqui enim magis colobiis utebantur.

[40] Cod. l. 14. tit. 10. de Habitu quo uti oportet intra Urbem, leg. 1. (t. 5. p. 207.) Nullus senatorum habitum sibi vindicet militarem, sed, chlamydis terrore deposito, quieta colobiorum ac penularum induat vestimenta, &c.

was seldom used among the Romans; for Lampridius notes it[41] as a singular thing in the life of Commodus, the emperor, that he wore a *dalmatica* in public; which he also censures in Heliogabalus[42], as Tully had done before in Catiline. And that is a good argument to prove that the clergy of this age did not wear the *dalmatica* in public, since it was not then the common garment of the Romans. And the conjecture of a learned man[43] is well grounded, who thinks 'that in the life of St. Cyprian, where the ancient copies have *tunicam tulit*, some officious modern transcribers changed the word *tunica* into *dalmatica*, as being more agreeable to the language and custom of their own time, when the *dalmatica* was reckoned among the sacred vestments of the church, though we never find it mentioned as such in any ancient author.'

The *caracalla*, which some now call the *cassock*, was originally a Gallic habit, which Antonius Bassianus, who was born at Lyons in France, first brought into use among the Roman people, whence he had the name of *Caracalla*, as Aurelius Victor[44] informs us. It was a long garment, reaching down to the heels, which Victor says the Roman people put on when they went to salute the emperor. But whether it was also a clerical habit in those days may be questioned, since no ancient author speaks of it as such: but if it was, it was not any peculiar habit of the clergy; since Spartian[45], who lived in the time of Constantine, says they were then used by the common people of Rome, who called them *caracallæ Antoninianæ* from their author.

The ἡμιφόριον, which Epiphanius joins with the *colobium*,

[41] Vit. Commod. [c. 8.] p. 139. (int. August. Hist. Scriptor. p. 277.) Dalmaticatus in publico processit.

[42] Vit. Heliogab. [c. 26.] p. 317. (ibid. p. 495.) Dalmaticatus in publico post cœnam sæpe visus est.

[43] Bp. Fell, Not. in Vit. Cypr. p. 13. (p. 14. n. 7. sub fin.) Obesæ prorsus est naris, qui in his, quæ sequuntur, librariorum interpolationes, sæculis et ingeniis suis dignas, non deprehenderit. Illi quidem cum *tunicam* dignitate episcopali non satis respondere crediderant, officiosissimi homines *dalmaticam* subministrabant.

[44] Epitom. Vit. Caracall. (p. 34.) Cum e Gallia vestem plurimam devexisset, talaresque caracallas fecisset, coegissetque plebem ad se salutandum indutam talibus introire, de nomine hujus vestis *Caracalla* cognominatus est.

[45] Vit. Caracall. [c. 9.] p. 251.] (int. August. Hist. Scriptor. p. 416.) Ipse Caracallæ [al. Caracalli] nomen accepit a vestimento, quod populo dederat, demisso usque ad talos, quod ante non fuerat; unde hodieque *Antoninianæ* dicuntur caracallæ hujusmodi, in usu maxime Romanæ plebis frequentatæ.

was either but another name for the same garment, or one like it; for it signifies *a short cloak* or *coat*, as Petavius[46] and other critics explain it, ἥμισυ ἱματείας [ἱματίου], or *dimidium* [*dimidiatum*] *pallium*, which answers to the description of the *colobium*, given before.

As for the *linea*, mentioned in the Life of Cyprian, which Baronius calls the *bishop's rochet*, it seems to have been no more than some common garment made of linen, though we know not what other name to give it. Baronius[47] says, pleasantly, 'it was not his shirt,' and therefore concludes it must be his rochet; which is an argument to make a reader smile, but carries no great conviction in it. And yet it is as good as

[46] Animadvers. in Epiphan. Hær. 69. n. 3. (284.) Ἡμιφόριον idem est quod Hesychio ac Suidæ ἡμιφάριον, hoc est, ἥμισυ ἱματίου. Palladius in Historia Lausiaca, quem citat Meursius: Πάντα αὐτῆς [de Melania Juniore] τὰ σηρικὰ ἡμιφόρια καλύμματα τοῖς θυσιαστηρίοις ἐδωρήσαντο. Utraque voce dimidiata vestis exprimitur. Colobium *curtam tunicam* interpretari possis: proprie quidem quæ manicis careat, ac decurtata sit. De qua non nihil ad Themistium diximus. Sed non minus apte sic appellari videtur, quid [quod] non ultra pectus atque humeros pateret, quasi dimidiatum esset pallium. Siquidem κολοβιῶνα latum clavum nominari censet Acro; cui respondere dicit indumentum illud ex purpura, quod a cervice ad pectus extentum gestabant principes. Ergo propterea κολόβιον et ἡμιφόριον vocatum est, quia justæ vestis more nequaquam extendebatur. Aliud est ὠμοφόριον episcoporum, de quo Germanus Constantinopolitanus.—Conf. Suicer. Thes. Eccles. (t. 1. p. 1334.) Ἡμιφόριον significat *dimidiatam vestem*: nam φόρεμα Græcis recentioribus, ut ex Ulachi Thesauro constat, *vestem* notat. Epiphanius contra Ariomanitas, seu Hæresi 69. Ἡμιφόριον γὰρ ὁ τοιοῦτος ἀεὶ καὶ κολοβίωνα ἐνδιδυσκόμενος γλυκὺς ἦν τῇ προσηγορίᾳ. Palladius, Hist. Lausiac. in Melania Juniore, p. 148. Πάντα αὐτῆς τὰ σηρικὰ ἡμιφόρια καλύμματα τοῖς θυσιαστηρίοις ἐδωρήσατο. Hesychius et Suidas scribunt ἡμιφάριον, et interpretantur, ἥμισυ ἱματίου, dimidium vestis, dimidiata vestis. Cl. Meursius hanc quoque lectionem probat, quia φάρος vestem significet. Hesychius φάρη, ἱμάτια· vestimenta. Item, φάρος, ἱμάτιον, περιβόλαιον, vestis, amiculum. Ita etiam Suidas et Etymolog. M.

[47] An. 261. n. 40. (t. 2. p. 558 b.) Etenim ex iis adeo certis antiquitatis ecclesiasticæ monumentis, qualis esse soleret episcoporum habitus, probe possumus intelligere. Sed illud primum de tunica linea, qua, cæteris vestibus exspoliatus, ictum gladii excepturus remansit indutus, exacte considerandum. Ex iis enim, quæ ex dictis Actis sunt superius notata, neminem certe puto adeo obtusum ingenio, ut cum ipsa dicant, Cyprianum exutum birro atque tunica remansisse in linea, existimet de linea interula intelligendum, quæ super nudum indui consuevit: non enim decebat sacerdotalem decorem, Cyprianum ad interulam usque denudari, cum præsertim ad hoc non cogeret magistratus, nec carnificina functio postularet: quid enim opus erat ad capitis obtruncationem ad subuculam usque exui, cum præsertim nullum ea de re exstet exemplum? Sic igitur nihil aliud est, quod dici possit, nisi lineam illam Cypriani commune illud omnibus episcopis lineum indumentum fuisse, quod *ephod* alii dicunt, Italice vero *rochetto*.

any that he produces to prove that bishops in Cyprian's time appeared in public differently habited from other men.

That the clergy had their particular habits for ministering in divine service, at least in the beginning of the fourth century, is not denied, but will be proved and evidenced in its proper place; but that any such distinction was generally observed *extra sacra* in their other habits in that age, is what does not appear, but the contrary, from what has been discoursed. It was necessary for me to give the reader this caution, because some unwarily confound these things together, and allege the proofs or disproofs of the one for the other, which yet are of very different consideration.

CHAP. V.

Some reflections upon the foregoing discourse, concluding with an address to the clergy of the present Church.

Reflection 1. All laws and rules of the ancient Church not necessary to be observed by the present Church and clergy.

1. HAVING thus far gone over, and as it were brought into one view, the chief of those ancient laws and rules which concerned the elections, qualifications, duties, and general offices of the primitive clergy; reserving the consideration of particular offices to their proper places, I shall close this part of the discourse with a few necessary reflections upon it, in reference to the practice of the clergy of the present Church. And here, first of all, it will be proper to observe, that all the laws and rules of the primitive Church are not obligatory to the present clergy, save only so far as they either contain matters necessary in themselves, or are adopted into the body of rules and canons which are authorized and received by the present Church. For some laws were made upon particular reasons, peculiar to the state and circumstances of the Church in those times; and it would neither be reasonable nor possible to reduce men to the observance of all such laws, when the reasons of them are ceased, and the state of affairs and circumstances of the Church are so much altered. Other laws were made by particular Churches for themselves only, and these never could oblige other Churches till they were received by their own consent, or bound upon them by the authority of a general Council, where they themselves were represented, and their consent virtually taken. Much less can they oblige absolute and independent Churches at the distance of so many ages; since every

such Church has power to make laws and rules about things of an alterable nature for herself, and is not tied to the laws of any other. Nor consequently are any of the members of such a Church bound to observe those rules, unless they be revived and put in force by the Church whereof they are members. As this is agreeable to the sense and practice of the Catholic Church; so it was necessary here to be observed, that no one might mistake the design of this discourse, as if it tended to make every rule that has been mentioned therein become necessary and obligatory; or designed to reflect upon the present Church, because in all things she does not conform to the primitive practice; which it is not possible to do, without making all cases and circumstances exactly the same in all ages.

Reflection 2. Some ancient rules would be of excellent use, if revived by just authority.

2. But, secondly, notwithstanding this, I may, I presume, without offence, take leave to observe, in the next place, that some ancient rules would be of excellent use, if they were revived by just authority in the present Church. What if we had a law agreeable to that of Justinian's in the Civil Law, that every patron or elector, who presents a clerk, should depose upon oath, that he chose him neither for any gift, or promise, or friendship, or any other cause, but because he knew him to be a man of the true Catholic Faith, and good life, and good learning? Might not this be a good addition to the present laws against simoniacal contracts? What if the order of the ancient *chorepiscopi* were reduced and settled in large dioceses? and coadjutors in case of infirmity and old age? Might not these be of great use, as for many other ends, so particularly for the exercise of discipline, and the easier and constant discharge of that most excellent office of Confirmation? The judicious reader will be able to carry this reflection through abundance of other instances, which I need not here suggest. And I forbear the rather, because I am only acting the part of an historian for the ancient Church; leaving others, whose province it is, to make laws for the present Church; if any things are here suggested, which their wisdom and prudence may think fit to make the matter of laws for the greater benefit and advantage of it.

Reflection 3. Some ancient laws may

3. Thirdly, it may be observed further, that there were some laws in the ancient Church, which, though they be not established laws of the present Church, may yet innocently be com-

plied with; and perhaps it would be for the honour and advantage of the clergy voluntarily to comply with them, since there is no law to prohibit that. I will instance in one case of this nature. It was a law in the ancient Church, as I have shewed[48], that the clergy should end all their civil controversies, which they had one with another, among themselves, and not go to law in a secular court, unless they had a controversy with a layman. Now, though there be no such law in the present Church, yet there is nothing to hinder clergymen from choosing bishops to be their arbitrators, and voluntarily referring all their causes to them, or any other judges whom they shall agree upon among themselves; which must be owned to be the most Christian way of ending controversies. Whence, as I have shewed, it was many times practised by the laity in the primitive Church, who took bishops for their arbitrators by voluntary compromise, obliging themselves to stand to their arbitration. And what was so commendable in the laity, must needs be more reputable in the clergy, and more becoming their gravity and character; not to mention other advantages that might arise from this way of ending disputes, rather than any other. From this one instance it will be easy to judge, how far it may be both lawful and honourable for the clergy to imitate the practic eof the Ancients in other cases of the like nature.

be complied with, though not laws of the present Church.

4. Fourthly. The last observation I have to make upon the foregoing discourse, is in reference to such laws of the ancient Church as must be owned to be of necessary and eternal obligation. Such are most of those that have been mentioned in the second and third chapters of this book, relating to the life and duties of the clergy; in which the clergy of all Churches will for ever be concerned, the matter of those laws being in itself of absolute and indispensable obligation. The practice of the Ancients, therefore, in compliance with such laws, will be a continual admonition, and their examples a noble provocation to the clergy of all ages. There is nothing that commonly moves or affects us more than great and good examples; they at once both pleasantly instruct, and powerfully excite us to the practice of our duty; they shew us that rules are practicable, as having already been observed by men of like passions

Reflection 4. Of the influence of great examples, and laws of perpetual obligation.

[48] B. 5. ch. 1. s. 1. v. 2. p. 104.

with ourselves; they are apt to inflame our courage by an holy contagion, and raise us to noble acts by provoking our emulation; they, as it were, shame us into laudable works, by upbraiding and reproaching our defects in falling short of the patterns set before us; they work upon our modesty, and turn it into zeal; they raise our several useful passions, and set us to work by exciting those inbred sparks of emulation, and principles of activity, that are lodged within us. And for this reason, whilst others have done good service by writing of the pastoral office and care, in plain rules and directions, I have added the examples of the Ancients to their rules; the better to excite us to tread those paths which are chalked out to us, by the encouragement of such instructive and provoking examples. Who can read that brave defence and answer[49] which St. Basil made to the Arian prefect, without being warmed with something of his zeal for truth upon any the like occasion? How resolute and courageous will it make a man, even against the calumnies of spite and malice, to contend for the Faith, when he reads[50] what base slanders and reproaches were cast upon the greatest luminaries of the Church, and the best of men, Athanasius and Basil, for standing up in the cause of religion against the Arian heresy? Again, how peaceable, how candid, how ingenuous and prudent will it make a man, in composing unnecessary disputes, that arise among Catholics in the Church, always to have before his eyes that great example of candour and peaceableness, which Nazianzen describes in the person of Athanasius[51], who, by his prudence, reconciled two contending parties, that for a few syllables and a dispute about mere words had like to have torn the Church in pieces? To instance but once more;—who, that reads that great example of charity and self-denial in the African fathers at the Collation of Carthage[52], and considers with what a brave and public spirit they despised their own private interest for the good and peace and unity of the Church, will not be inspired with something of the same noble temper, and ardent love of Christ; which will make him willing to do or suffer any thing for the benefit of his Church, and sacrifice his own private interest to the advantage of the public; whilst he persuades himself, with

[49] See b. 6. ch. 3. s. 10. v. 2. p. 252.
[50] See the same.
[51] See b. 6. ch. 3. s. 9. v. 2. p. 251.
[52] Ibid. ch. 4. s. 2. v. 2. p. 265.

those holy fathers, that he was made for the Church of Christ, and not the Church for him? As it is of the utmost consequence to the welfare of the Church, to have these and the like virtues and graces planted in the hearts of her clergy; so among other means that may be used for the promoting this end, there is none perhaps more likely to take effect than the recommending such virtues by the powerful provocation of such noble examples. And he, that offers such images of virtue to public view, may at least be allowed to make the apology which Sulpicius Severus[53] makes for his writing the Life of St. Martin:—*Etsi ipsi non viximus, ut aliis exemplo esse possimus; dedimus tamen operam, ne illi laterent, qui essent imitandi.*

Some particular rules recommended to observation. First, relating to the ancient method of training up persons for the ministry.

5. But, whilst I am so earnest in recommending the examples of the ancients, I must not forget to inculcate some of their excellent rules; such as their laws about training up young men for the ministry, under the *magister disciplinæ*, whose business was to form their morals, and inure them to such studies, exercises, and practices as would best qualify them for higher offices and services in the Church. This method of education being now changed into that of universities and schools of learning, it highly concerns them, on whom this care is devolved, to see that the same ends however be answered; that is, that all young men who aspire to the sacred profession be rightly formed, both in their studies and morals, to qualify them for their great work and the several duties of their calling. And they are the more concerned to be careful in this matter, because bishops now cannot have that personal knowledge of the morals of such persons as they had formerly, when they were trained up under their eye, and liable to their inspection; but now, as to this part of their qualification, they must depend first upon the care, and then upon the testimony, of those who are intrusted with their education. Besides, a late eminent writer[54], who inquires into the causes of the pre-

[53] [De Vit. B. Martin., in Prolog. Horne's edition, (Lugd. Bat. 1647. p. 460.) from which I have verified the citations of this author, reads—*ne is lateret, qui esset imitandus.* Ed.]

[54] Ostervald's Causes of the Corruption of Christians, part 2. ch. 3. p. 333. (p. 345.) For, first, as to manners, &c. According to the original, (Amsterdam, 1709, v. 2. p. 127.) Car premièrement à l'égard des mœurs, la jeunesse y vit dans le déréglement; elle y est abandonnée à sa

sent corruption of Christians, where he has occasion to speak of the pastoral office, and the ordinary methods now used for training up persons to it, makes a double complaint of the way of education in several of the universities of Europe. As to manners, he complains 'that young people live there licentiously, and are left to their own conduct, and make public profession of dissoluteness; nay, that they not only live there irregularly, but have privileges which give them a right to commit with impunity all manner of insolencies, brutalities, and scandals, and which exempt them from the magistrate's jurisdiction.' Now such universities as are concerned in this accusation, which by the blessing of God those of our land are not, have great reason to consider how far they are fallen from the primitive standard, and what a difference there is between the ancient way of educating under the inspection of a bishop, and the conduct of a master of discipline in every Church, and the way of such academies; where, if that learned person say true, 'the care of masters and professors does not extend to the regulating of the manners of their disciples.' The other complaint he makes is in reference to the studies which are pursued at universities; in which he observes two faults, one in re-

propre conduite; les soins des maitres et des professeurs ne s'entendent pas jusqu'à régler les mœurs de leurs disciples. Ce désordre va si loin que dans plusieurs universités de l'Europe les écoliers et les étudians font une ouverte profession de libertinage. Non seulement ils y vivent dans la licence, mais ont des privilèges, qui leur donne le droit de commettre impunément toutes sortes d'insolences, de brutalitez et de scandales, et qui les exemptent de la jurisdiction de magistrat, &c.—Ibid. (p. 128.) La théologie y est traitée, et l'Ecriture Sainte y est expliquée, d'une manière scholastique, et toute speculative. On y lit des lieux communs, remplis des termes d'école, et de questions peu nécessaires. On y apprend proprement à disputer sur tout, et à reduire la religion en controverses. Cette methode perd les jeunes gens; elle leur donne des idées embarassées et même fausses de la théologie, &c. —Ibid. (p. 129.) L'autre défaut est plus essentiel. On n'a pas soin dans des académies d'apprendre aux jeunes gens, qui se consacrent aut service de l'Eglise, diverses choses dont la connoissance leur seroit tout-à-fait nécessaire. L'étude de l'histoire et de l'antiquité ecclésiastique y est négligée..... On n'enseigne pas morale dans les écoles de théologie, si ce n'est d'une manière superficielle et scholastique; et en plusieurs académies on ne l'enseigne point du tout. On y parle rarement de la discipline. On n'y donne que peu ou point d'instructions sur la manière d'exercer la charge de pasteur et de gouverner l'église. Tellement que le plus grand nombre de ceux, qui sont admis à cette charge, y entrent sans savoir en quoi elle consiste, et n'en ont point d'autre idée, que comme d'une profession, qui oblige à prêcher et à expliquer des textes.

ference to the method of teaching: 'Divinity is treated there, and the holy Scripture explained altogether, in a scholastical and speculative manner. Common places are read, which are full of school-terms, and of questions not very material. This makes young men resolve all religion into controversies, and gives them intricate and false notions of divinity.' The other fault, he thinks, is more essential: 'Little or no care is taken to teach those, who dedicate themselves to the service of the Church, several things, the knowledge of which would be very necessary to them. The study of history and of Church-antiquity is neglected, morality is not taught in divinity-schools, but in a superficial and scholastic manner; and in many academies it is not taught at all. They seldom speak there of discipline, they give few or no instructions concerning the manner of exercising the pastoral care, or of governing the Church. So that the greater part of those who are admitted into this office enter into it without knowing wherein it consists; all the notion they have of it is, that it is a profession which obliges them to preach and to explain texts.' I cannot think all universities are equally concerned in this charge, nor shall I inquire how far any are, but only say, that the faults here complained of were rarely to be met with in the methods of education in the primitive Church; where, as I have shewed, the chief studies of men devoted to the service of the Church, both before and after their ordinations, were such as directly tended to instruct them in the necessary duties and offices of their function. The great care then was to oblige men carefully to study the Scriptures in a practical way, and to acquaint themselves with the history, and laws, and discipline of the Church, by the knowledge and exercise of which they became expert in all the arts of curing souls, and making pious and holy men, which is the business of spiritual physicians, and the whole of the pastoral office; in which, therefore, their rules and examples are proper to be proposed to all Churches for their imitation.

Secondly. Their rules for examining the qualifications of candidates for the minist

6. Another sort of rules, worthy our most serious thoughts and consideration, were those which concerned the examination of the candidates for the ministry. For by these such methods were prescribed, and such caution used, that it was scarce possible for an unfit or immoral man to be admitted to an ecclesiastical office, unless a bishop and the whole Church combined,

as it were, to choose unworthy men, which was a case that very rarely happened. It was a peculiar advantage in the primitive Church, that by her laws ordinarily none were to be ordained but in the church where they were personally known, so that their manners and way of living might be most strictly canvassed and examined; and a vicious man could not be ordained if either the bishop or the Church had the courage to reject him. Now though this rule cannot be practised in the present state of the Church, yet the main intent of it is of absolute necessity to be answered, and provided for some other way; else the Church must needs suffer greatly, and infinitely fall short of the purity of the primitive Church, by conferring the most sacred of all characters upon immoral and unworthy men. The only way which our present circumstances will admit of, to answer the caution that was used in former days, is to certify the bishop concerning the candidates' known probity and integrity of life, by such testimonials as he may safely depend upon. Here, therefore, every one sees, without my observing it to him, that to advance the present Church to the purity and excellency of the primitive Church, there is need of the utmost caution in this matter; that testimonials in so weighty an affair be not promiscuously granted unto all; nor to any but upon reasonable evidence and assurance of the things testified therein: otherwise we partake in other men's sins, and are far from consulting truly the glory of God and the good of his Church, whilst we deviate so much from the exactness and caution that is shewed us in the primitive pattern.

The other part of the examination of candidates, which related to their abilities and talents, was made with no less diligence and exactness. The chief inquiry was, whether they were well versed in the sense and knowledge of the Holy Scriptures; whether they rightly understood the fundamentals of religion, the necessary doctrines of the Gospel, and the rules of morality, as delivered in the law of God; whether they had been conversant in the history of the Church, and understood her laws and discipline; and were men of prudence to govern as well as of ability to teach the people committed to their charge. These were things of great importance, because most of them were of daily use in the exercise of the ministry and pastoral care, and therefore proper to be insisted on in exami-

nations of this nature. These were the qualifications which, joined with the burning and shining light of a pious life, raised the primitive Church and clergy to that height of glory which we all profess to admire in them. And the very naming that is a sufficient provocation to such as are concerned in this matter, to express their zeal for the welfare and glory of the present Church, by keeping strictly to the measures which were so successfully observed in the ancient Church, and without which the ends of the ministry cannot be fully attained in any Church, whilst persons are ordained that want proper qualifications.

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7. I shall not now stand to inculcate any other rules about particular duties, studying, preaching, or the like, but only beg leave to recommend the primitive pattern in two things more. The one concerns private pastors, the other is humbly offered to the governors of the Church. That which concerns private pastors is, the duty of private address and the exercise of private discipline toward the people committed to their charge. Some eminent persons[55], who have lately considered the duties of the pastoral office, reckon this one of the principal and most necessary functions of it, which consists in inspecting the lives of private persons, in visiting families, in exhortations, warnings, reproofs, instructions, reconciliations, and in all those other cares, which a pastor ought to take of those over whom he is constituted. 'For,' as they rightly observe, 'neither general exhortations, nor public discipline can answer all the occasions of the Church. There are certain disorders, which pastors neither can nor ought to repress openly, and which yet ought to be remedied by them. In such cases, private admonitions are to be used. The concern of men's salvation requires this,

[55] Ostervald's Causes of the Corruption of Christians, part. 2. ch. 3. p. 318. (p. 331.) For neither general exhortations, &c. According to the original, (Amsterdam, 1709, vol. 2. p. 109, last line,) Car, ni les exhortations générales, ni discipline publique ne peuvent pourvoir à tous les besoins de l'Eglise. Il y a de certains désordres que les pasteurs ne peuvent ni ne doivent reprimer ouvertement, et aux quels ils doivent pourtant apporter du remède. Dans ces cas là, il en faut venir à des avertissements particuliers. L'interét du salut des ames le demande, et il est de la sollicitude pastorale d'aller chercher la brebis qui s'égare, et de ne laisser pas périr le méchant faute d'avertissement.——See also Bishop Burnet's Pastoral Care, ch. viii. p. 96. (Lond. 1692. pp. 192, seqq.) .. I have broke in upon the third head of his duty, his *private labours* in his parish, &c.

and it becomes the pastoral carefulness to seek the straying sheep, and not to let the wicked perish for want of warning.' But now because this is a nice and difficult work, and requires not only great diligence and application, but also great art and prudence, with a proportionable share of meekness, moderation and temper, to perform it aright; it is often either wholly neglected or very ill performed, whilst some think it enough to admonish sinners from the pulpit, and others admonish them indiscreetly, which tends more to provoke than reclaim them. To remedy both these evils it will be useful to reflect upon that excellent discourse of Gregory Nazianzen, which has been suggested in the third chapter of this book[56], where he considers that great variety of tempers which is in men, and the nicety of all matters and occasions that a skilful pastor ought to consider, in order to supply suitable remedies to every distemper. And there the reader will also find some other excellent cautions and directions given by Chrysostom and others upon this head, with examples proper to excite him to the performance of this necessary duty.

Fourthly. Their rules for exercising public discipline upon delinquent clergymen, who were convicted of scandalous offences.

8. The other thing I would humbly offer to the consideration of our superiors, who are the guardians of public discipline, and inspectors of the behaviour of private pastors, is the exercise of discipline in the ancient Church. By which I do not now mean that general discipline which was exercised toward all offenders in the Church, but the particular discipline that was used among the clergy; by virtue of which every clerk convicted of immorality, or other scandalous offence, was liable to be deposed, and punished with other ecclesiastical censures; of which, both crimes and punishments, I have given a particular account in the three foregoing chapters of this book. It is a thing generally acknowledged by all, that the glory of the ancient Church was her discipline; and it is as general a complaint of the misfortune of the present Church, that corruptions abound for want of reviving and restoring the ancient discipline. Now, if there be any truth in either of these observations, it ought to be a quickening argument to all that sit at the helm of government in the Church, to bestir themselves with their utmost zeal, that discipline, where it is wanting, may at least

[56] See s. 8. vol. 2. p. 245. [See ibid. nn. 87 and 88. Ed.]

be restored among the clergy: that no scandals or offences may be tolerated among them, whose lives and practices ought to be a light and a guide to others. As there is nothing to hinder the free exercise of it here, so it is but fitting it should be exemplified in them; as for many other reasons, so particularly for this, that the laity may not think they are to be tied to any discipline which the clergy have not first exercised upon themselves with greater severity of ecclesiastical censures. And if either rules or examples can encourage this, those of the primitive Church are most provoking; her rules of discipline were most excellent and exact in themselves, and for the most part, as exactly managed by persons intrusted with the execution of them.

Julian's design to reform the heathen priests by the rules of the primitive clergy, an argument to provoke our zeal in the present age.

9. After these reflections, made upon the laws and practice of the primitive clergy, it will be needless to make any long address to any orders of the clergy of the present age. I will therefore only observe one thing more, that Julian's design to bring the laws of the primitive clergy into use among the heathen priests, in order to reform them, as it was then a plain testimony of their excellency, so it is now a proper argument to provoke the zeal of the present clergy, to be more forward and ambitious in their imitation. I have already[57] in part recited Julian's testimony and design, out of his Letter to Arsacius, high priest of Galatia; I shall here subjoin a more ample testimony from a Fragment of one of his Epistles[58] printed among his Works, where speaking of the gentile priests, he says, 'It was reasonable they should be honoured, as the ministers and servants of the gods, by whose mediation many blessings were derived from heaven upon the world; and so[59] long as they retained this character, they were to be honoured and respected by all, but if wicked and vicious, they should be deposed from their office, as unworthy their function. Their lives[60] were to be so regulated, as that they might be a copy

[57] See b. 4. ch. 3. s. 13. v. 2. p. 52. n. 89.

[58] Fragm. Epist. (p. 542. 15.) ... *Εὔλογον δὲ καὶ τοὺς ἱερέας τιμᾶν, ὡς λειτουργοὺς θεῶν καὶ ὑπηρέτας, καὶ διακονοῦντας ἡμῖν τὰ πρὸς τοὺς θεούς· συνεπισχύοντας τῇ ἐκ θεῶν εἰς ἡμᾶς τῶν ἀγαθῶν δόσει.*

[59] Ibid. (p. 543. 15.) *Ἀλλ' ἕως ἂν ἱερεύς τις ὀνομάζηται, τιμᾶν αὐτὸν χρὴ καὶ θεραπεύειν· εἰ δὲ εἴη πονηρὸς, ἀφαιρεθέντα τὴν ἱερωσύνην, ὡς ἀνάξιον ἀποφανέντα, περιορᾶν.*

[60] Ibid. (547. 6.) *Ὧν πρὸς τὰ πλήθη χρὴ λέγειν, δείγμα τῶν ἑαυτῶν ἐκφέροντας βίον· ἀρκτέον δὲ ἡμῖν τῆς πρὸς*

and pattern of what they were to preach to men. To this purpose they should be careful in all their addresses to the gods, to express all imaginable reverence and piety, as being in their presence, and under their inspection. They[61] should neither speak a filthy word, nor hear one; but abstain as well from all impure discourse, as vile and wicked actions, and not let a scurrilous or abusive jest come from their mouths. They should read no books tending this way, such as Archilochus and Hipponax, and the writers of loose wanton comedies; but apply themselves to the study of such philosophers as Pythagoras, Plato, Aristotle, Chrysippus, and Zeno, whose writings were most likely to create piety in men's minds. For all sorts of books were not fit to be read by the priests. Even among philosophers, those of Pyrrho[62] and Epicurus were wholly to be rejected by them; and instead of these they should learn such divine hymns,[63] as were to be sung in honour of the gods, to whom they should make their supplications publicly and privately thrice a day, if it might be; however twice at least, morning and evening. In the course of their public ministrations in the temples,[64] which, at Rome, commonly held for

τοὺς θεοὺς εὐσεβείας· οὕτω γὰρ ἡμᾶς πρέπει τοῖς θεοῖς λειτουργεῖν, ὡς παρεστηκόσιν αὐτοῖς, καὶ ὁρῶσιν μὲν ἡμᾶς, οὐχ ὁρωμένοις ὑφ' ἡμῶν.

[61] Ibid. (p. 549. 4.)... Αἰσχρὸν δὲ μήτε λέγοντας, μήτε ἀκούοντας· ἁγνεύειν δὲ χρὴ τοὺς ἱερέας οὐκ ἔργων μόνον ἀκαθάρτων οὐδὲ ἀσελγῶν πράξεων, ἀλλὰ καὶ ῥημάτων καὶ ἀκροαμάτων τοιούτων. Ἐξελατέα τοίνυν ἐστὶ ἡμῖν πάντα τὰ ἐπαχθῆ σκώμματα· πᾶσα δὲ ἀσελγὴς ὁμιλία· καὶ ὅπως εἰδέναι ἔχῃς ὃ βούλομαι φράζειν· ἱερωμένος τίς μήτε Ἀρχίλοχον ἀναγινωσκέτω· μήτε Ἱππώνακτα· μήτε ἄλλον τινὰ τῶν τοιαῦτα γραφόντων· ἀποκλινέτω καὶ τῆς παλαιᾶς κωμῳδίας, ὅσα τῆς τοιαύτης ἰδέας. Ἄμεινον μὲν γὰρ, καὶ πάντως πρέποι δ' ἂν ἡμῖν, ἡ φιλοσοφία μόνη· καὶ τούτων, ἡ θεοὺς ἡγεμόνας προστησαμένη τῆς ἑαυτῶν παιδείας· ὅπερ Πυθαγόρας, καὶ Πλάτων, καὶ Ἀριστοτέλης, οἵ τε ἀμφὶ Χρύσιππον καὶ Ζήνωνα. Προσεκτέον μὲν γὰρ οὔτε πᾶσιν, οὔτε τοῖς πάντων δόγμασι, ἀλλὰ ἐκείνοις μόνον καὶ ἐκείνων, ὅσα εὐσεβείας ἐστὶ ποιητικά.

[62] Ibid. (p. 553. 1.) Οὐδὲ ἀνάγνωσμα πᾶν ἱερωμένῳ πρέπει.... Μήτε Ἐπικούρειος εἰσιέτω λόγος, μήτε Πυῤῥώνειος.

[63] Ibid. (p. 551. 16.) Ἐκμανθάνειν χρὴ τοὺς ὕμνους τῶν θεῶν· εἰσὶ δὲ οὗτοι πολλοὶ μὲν καὶ καλοὶ πεποιημένοι παλαιοῖς καὶ νέοις· οὐ μὲν ἀλλ' ἐκείνους πειρατέον ἐπίστασθαι, τοὺς ἐν τοῖς ἱεροῖς ᾀδομένους· οἱ πλεῖστοι γὰρ ὑφ' αὐτῶν θεῶν ἱκετευθέντων ἐδύθησαν· ὀλίγοι δέ τινες καὶ παρὰ ἀνθρώπων ὑπὸ πνεύματος ἐνθέου, καὶ ψυχῆς ἀβάτου τοῖς κακοῖς ἐπὶ τῇ τῶν θεῶν τιμῇ συγκείμενοι. Ταῦτά γε ἄξιον ἐπιτηδεύειν· καὶ εὔχεσθαι πολλάκις τοῖς θεοῖς ἰδίᾳ καὶ δημοσίᾳ· μάλιστα μὲν τρὶς τῆς ἡμέρας· εἰ δὲ μὴ, πάντως ὄρθρου τε καὶ δείλης.

[64] Ibid. (p. 553. 1.) Οἶμαι δὲ χρῆναι τὸν ἱερέα πάντων ἁγνεύσαντα νύκτωρ καὶ ἡμέραν· εἶτα ἄλλην ἐπ' αὐτῇ νύκτα καθηράμενον, οἷς διαγορεύουσιν οἱ θεσμοὶ καθαρμοῖς, οὕτως εἴσω φοιτῶντα τοῦ ἱεροῦ μένειν, ὅσας ἂν ἡμέρας ὁ νόμος κελεύῃ· τριάκοντα μὲν γὰρ παρ' ἡμῖν εἰσιν ἐν Ῥώμῃ· παρ' ἄλλοις δὲ ἄλλως. Εὔλογον οὖν οἶμαι μένειν ἁπάσας ταύτας τὰς ἡμέρας ἐν τοῖς ἱεροῖς

thirty days, they were to reside all the time in the temples, and give themselves to philosophic thoughts, and neither go to their own houses, nor into the forum, nor see any magistrate but in the temple. When their term of waiting was expired, and they were returned home, they might not converse or feast promiscuously with all, but only with their friends and the best of men; they were but rarely then to appear in the forum, and not to visit the magistrates and rulers, except it were in order to be helpful to some that needed their assistance. While they ministered in the temple, they were to be arrayed with a magnificent garment; but out of it they must wear common apparel, and that not very costly, or in the least savouring of pride and vain glory. They were in no case[65] to go to see the obscene and wanton shows of the public theatres, nor to bring them into their own houses, nor to converse familiarly with any charioteer, or player, or dancer, belonging to the theatre.' After this he signifies out of what sort of men the priests should be chosen. 'They[66] should be the best that

φιλοσοφοῦντα· καὶ μήτε εἰς οἰκίαν βαδίζειν, μήτε εἰς ἀγορὰν, μηδὲ ἄρχοντα πλὴν ἐν τοῖς ἱεροῖς ἐφορᾶν· ἐπιμελεῖσθαι δὲ τῆς περὶ τὸ θεῖον θεραπείας αὐτὸν, ἐφορῶντα πάντα καὶ διατάττοντα· πληρώσαντα δὲ τὰς ἡμέρας, εἶτα ἑτέρῳ παραχωροῦντα τῆς λειτουργίας. Ἐπὶ δὲ τὸν ἀνθρώπινον τρεπομένῳ βίον ἐξέστω καὶ βαδίζειν εἰς οἰκίαν φίλων, καὶ εἰς ἑστίασιν ἅπαντᾶν παρακληθέντα, μὴ πάντων, ἀλλὰ τῶν βελτίστων· ἐν τούτῳ δὲ καὶ εἰς ἀγορὰν παρελθεῖν οὐκ ἄτοπον ὀλιγάκις· ἡγεμόνα τε προσειπεῖν, καὶ ἔθνους ἄρχοντα· καὶ τοῖς εὐλόγως δεομένοις ὅσα ἐνδέχεται βοηθῆσαι. Πρέποι δὲ οἶμαι τοῖς ἱερεῦσιν ἔνδον μὲν, ὅτε λειτουργοῦσιν, ἐσθῆτι χρῆσθαι μεγαλοπρεπεστάτῃ· τῶν ἱερῶν δὲ ἔξω, τῇ συνήθει, δίχα πολυτελείας· . . . ἀφεκτέον ἡμῖν ἐσθῆτος πολυτελεστέρας ἐν ἀγορᾷ, καὶ κόμπου· ἢ καὶ πάσης ἁπλῶς ἀλαζονείας.

[65] Ibid. (p. 555. 21.) Τοῖς ἀσελγέσι τούτοις θεάτροις τῶν ἱερέων μηδεὶς μηδαμοῦ παραβαλλέτω· μήτε εἰς τὴν οἰκίαν εἰσαγέτω τὴν ἑαυτοῦ.—— Ibid. (556. 10.) Μηδὲ [leg? Μηδεὶς] ποιείτω φίλον θυμελικόν· μηδὲ ἁρματηλάτην· μηδὲ ὄρχηστὴς, μηδὲ μῖμος, αὐτῶν τῇ θύρᾳ προσίτω.

[66] Ibid. (p. 556. 27.) Ἐγώ φημι τοὺς ἐν ταῖς πόλεσι βελτίστους καὶ μάλιστα μὲν φιλοθεωτάτους, ἔπειτα φιλανθρωποτάτους· ἐάν τε πένητες ὦσιν, ἐάν τε πλούσιοι· διάκρισις ἔστω πρὸς τοῦτο μηδέ τις οὖν ἀφανοῦς καὶ ἐπιφανοῦς. Ὁ γὰρ διὰ πρᾳότητα λεληθὼς, οὐ διὰ τὴν τοῦ ἀξιώματος ἀφάνειαν, δίκαιός ἐστι κωλύεσθαι· κἂν πένης οὖν ᾖ τις, κἂν δημότης, ἔχων ἐν ἑαυτῷ δύο ταῦτα, τό τε φιλόθεον καὶ τὸ φιλάνθρωπον, ἱερεὺς ἀποδεικνύσθω. Δείγμα δὲ τοῦ φιλοθέου μὲν, εἰ τοὺς οἰκείους ἅπαντας εἰς τὴν περὶ τοὺς θεοὺς εὐσέβειαν εἰσαγάγοι· τοῦ φιλανθρώπου δὲ, εἰ καὶ ἐξ ὀλίγων εὐκόλως κοινωνεῖ τοῖς δεομένοις, καὶ μεταδίδωσι προθύμως, εὖ ποιεῖν ἐπιχειρῶν ὅσους ἂν οἷός τε ἦν· προσεκτέον γὰρ μάλιστα τῷ μέρει τούτῳ, καὶ τὴν ἰατρείαν ὅθεν ποιητέον. Ἐπειδὴ γὰρ οἶμαι συνέβη, τοὺς πένητας ἀμελεῖσθαι παρορωμένους ὑπὸ τῶν ἱερέων, οἱ δυσσεβεῖς Γαλιλαῖοι κατανοήσαντες, ἐπέθεντο ταύτῃ τῇ φιλανθρωπίᾳ· καὶ, τὸ χείριστον τῶν ἔργων, διὰ τοῦ δοκοῦντος τῶν ἐπιτηδευμάτων, ἐκράτυναν· ὥσπερ οἱ τὰ παιδία διὰ τοῦ πλακοῦντος ἐξαπατῶντες, τῷ καὶ δὶς καὶ τρὶς προέσθαι, πείθουσιν ἀκουλουθεῖν ἑαυτοῖς· εἶθ' ὅταν ἀποστήσωσι πόρρω τῶν οἰ-

could be found in every city, persons that had true love for god and man, and then it mattered not whether they were rich or poor; there being no difference to be made between noble and ignoble in this case. No one was to be rejected upon other accounts, who was endued with those two qualities, piety to god, and humanity to men. Whereof the former might be evidenced by their care to make all their domestics as devout as themselves; and the latter, by their readiness to distribute liberally to the poor, out of that little they had, and extending their charity to as many as was possible. And there was the more reason to be careful in this matter, because it was manifestly the neglect of this humanity in the priests, which had given occasion to the impious Galileans,' by whom he means the Christians, 'to strengthen their party by the practice of that humanity, which the others neglected. For as kidnappers steal away children, whom they first allure with a cake; so these begin first to work upon honest-hearted Gentiles with their love-feasts, and entertainments, and ministering of tables, as they call them, till at last they pervert them to atheism, and impiety against the gods.'

Now, from this discourse of Julian, I think it is very evident that he had observed what laws and practices had chiefly contributed to the advancement of the character and credit of the Christian clergy, and of the Christian religion by their means; and therefore he laboured to introduce the like rules and discipline among the idol-priests, and intended to have made many other alterations in the heathen customs, in compliance with the envied rites and usages of the Christian religion, as is observed both by Gregory Nazianzen[67] and Sozomen,[68] who

κιῶν, ἐμβάλλοντες εἰς ναῦν ἀπέδοντο· καὶ γέγονεν εἰς ἅπαντα τὸν ἐξῆς βίον πικρὸν τὸ δόξαν πρὸς ὀλίγον γλυκύ. Τὸν αὐτὸν καὶ αὐτοὶ τρόπον ἀρξάμενοι διὰ τῆς λεγομένης παρ' αὐτοῖς ἀγάπης καὶ ὑποδοχῆς καὶ διακονίας τραπεζῶν· ἔστι γὰρ ὥσπερ τὸ ἔργον, οὕτω δὲ καὶ ὄνομα, παρ' αὐτοῖς πολύ· πιστοὺς ἐνήγαγον εἰς τὴν ἀθεότητα.

[67] Orat. 3. Invect. 1. in Julian. (t. 1. p. 101. D.) *Διδασκαλεῖα μὲν ἱδρύσασθαι κατὰ πᾶσαν πόλιν ἕτοιμος ἦν, βήματά τε καὶ προεδρίας καὶ ὑφεδρίας. Ἑλληνικῶν τε δογμάτων ἀναγνώσεις καὶ ἀναπτύξεις, ὅσαί τε ἦθος ῥυθμίζουσι, καὶ ὅσαι τῆς ἐπικρύψεως· εὐχῶν τε τύπον ἐν μέρει, καὶ τῆς τῶν ἁμαρτανόντων κατὰ μέτρον ἐπιτιμήσεως· προτελείων δὲ καὶ τελειώσεως, καὶ ὅσα τῆς ἡμετέρας σαφῶς ἐστιν εὐταξίας· ἔτι δὲ καταγώγια πήξασθαι καὶ ξενῶνας· ἀγνευτήριά τε καὶ παρθενῶνας, καὶ φροντιστήρια, καὶ τὴν εἰς τοὺς δεομένους φιλανθρωπίαν, τήν τε ἄλλην ὁπόση, καὶ τὴν ἐν τοῖς ἐπιστολιμαίοις συνθήμασιν, οἷς ἡμεῖς ἐξ ἔθνους εἰς ἔθνος τοὺς χρῄζοντας παραπέμπομεν· ἃ δὴ καὶ μάλιστα τῶν ἡμετέρων εἶχε θαυμάσας.*

[68] L. 5. c. 16 (v. 2. p. 203. 3.)

ive us a particular account of his intended emendations; the ery mentioning which, if I mistake not, is a loud call to is to be at least as zealous as Julian was in copying out such xcellencies of the primitive clergy as are proper for our imiation. It is the argument which the Apostle makes use f in a like case:—"I will provoke you to jealousy by them hat are no people, by a foolish nation will I anger you." Rom. 10, 19. I must needs say, it will be but a melancholy onsideration for any man to find hereafter, that the zeal of an postate heathen shall rise up in judgment against him and ondemn him.

The conclusion, by way of address to the clergy of the present Church.

10. We all profess, as it is our duty to do, a great zeal for he honour and welfare of the present Church. Now, if indeed we have that zeal which we profess, we shall be careful to demonstrate it in all our actions; observing those necessary rules and measures, which raised the primitive Church to its glory. We are obliged, in this respect, first, to be strict and exemplary in our lives; to set others a pattern of sobriety, humility, meekness, charity, self-denial, and contempt of the world, and all such common graces as are required of Christians in general to adorn their profession; and then to add to these the peculiar graces and ornaments of our function, diligence, prudence, fidelity, and piety in the whole course of our ministry; imitating those excellencies of the Ancients, which have been described; confining ourselves to the proper business of our calling, and not intermeddling or distracting ourselves with other cares; employing our thoughts and time in useful studies, and directing them to their proper end, the edification of the Church; performing all divine offices with assiduity and

Ὑπολαβὼν δὲ τὸν Χριστιανισμὸν τὴν σύστασιν ἔχειν ἐκ τοῦ βίου καὶ τῆς πολιτείας τῶν αὐτὸν μετιόντων, διενοεῖτο πανταχῇ τοὺς Ἑλληνικοὺς ναοὺς, τῇ παρασκευῇ καὶ τῇ τάξει τῆς Χριστιανῶν θρησκείας διακοσμεῖν· βήμασί τε, καὶ προεδρίαις, καὶ Ἑλληνικῶν δογμάτων καὶ παραινέσεων διδασκάλοις τε καὶ ἀναγνώσταις, ὁρῶν τε ῥητῶν καὶ ἡμερῶν τεταγμέναις εὐχαῖς, φροντιστηρίοις τε ἀνδρῶν καὶ γυναικῶν φιλοσοφεῖν ἐγνωκότων, καὶ καταγωγίοις ξένων καὶ πτωχῶν, καὶ τῇ ἄλλῃ τῇ περὶ τοὺς δεομένους φιλανθρωπίᾳ τὸ Ἑλληνικὸν δόγμα σεμνύναι. Ἐκουσίων τε καὶ ἀκουσίων ἁμαρτημάτων κατὰ τὴν τῶν Χριστιανῶν παράδοσιν ἐκ μεταμελείας σύμμετρον τάξαι σωφρονισμόν. Οὐχ ἥκιστα δὲ ζηλῶσαι λέγεται τὰ συνθήματα τῶν ἐπισκοπικῶν γραμμάτων, οἷς ἔθος ἀμοιβαδὸν τοὺς ξένους ὅποι δήποτε διϊόντας, καὶ παρ' οἷς ἀφίκωνται, πάντως κατάγεσθαι καὶ θεραπείας ἀξιοῦσθαι, οἷά γε γνωρίμους καὶ φιλτάτους, διὰ τὴν τοῦ συμβόλου μαρτυρίαν· ταῦτα διανοούμενος ἐσπούδαζε τοὺς Ἑλληνιστὰς προσεθίζειν τοῖς τῶν Χριστιανῶν ἐπιτηδεύμασιν.

constancy, and in that rational, decent, and becoming way, as suits the nature of the action; making our addresses to God with a serious reverence, and an affecting fervency of devotion; and in our discourses to men, speaking always, as the oracles of God, with Scripture-eloquence, which is the most persuasive; in our doctrine shewing uncorruptness, gravity, sincerity, sound speech that cannot be condemned; in our reproofs, and the exercise of public and private discipline, using great wisdom and prudence, both to discern the tempers of men, and to time the application to its proper season, mixing charity and compassion with a just severity, and endeavouring to restore fallen brethren in the spirit of meekness; shewing gentleness and patience to them that are in error, and giving them good arguments with good usage, in order to regain them; avoiding all bitter and contumelious language, and never bringing against any man a railing accusation; treating those of our own order, whether superiors, inferiors, or equals, with all the decency and respect that is due to them, since nothing is more scandalous among clergymen than the abuses and contempt of one another; endeavouring here, as well as in all other cases, "to keep the unity of the spirit in the bond of peace;" shewing ourselves candid and ingenuous in moderating disputes among good Catholics, as well as resolute and prudent in opposing the malicious designs of the professed enemies of truth; briefly, employing our thoughts day and night upon these things, turning our designs this way, and always acting with a pure intention for the benefit and edification of the Church; even neglecting our own honours, and despising our own interest, when it is needful for the advantage of the public.

Such actions will proclaim our zeal indeed, and draw every eye to take notice of it. Such qualities, joined with probity and integrity of life, will equal our character to that of the primitive saints; and either give happy success to our labours, or at least crown our endeavours with the comfort and satisfaction of having discharged a good conscience in the sight of God. The best designs indeed may be frustrated, and the most pious and zealous endeavours be disappointed. It was so with our Lord and Master himself, and no one of his household then is to think it strange, if it happen to be his own

ase. For, "though he spake as never man spake;" though ie had done so many miracles among the Jews, yet they be-ieved not on him. This seems to be written for our comfort, hat we should not be wholly dejected, though our endeavours ail of success, since our Lord himself was first pleased to take his share in the disappointment. It will still be our comfort, hat we can be able to say with the Prophet in this case, 'Though we have laboured in vain, and spent our strength or nought, yet surely our judgment is with the Lord, and our work with our God." And then "though Israel be not gathered, yet shall we be glorious in the eyes of the Lord, and our God hall be our strength." Isai. 49, 4 and 5.

[PS. For the law of Justinian, referred to in the second section of this hapter, p. 302, requiring of patrons and electors a declaration upon oath, hat they were not influenced in their choice by favour, friendship, or any ther selfish motive, see Novels 123. ch. 1., and 137. ch. 2., as cited before, . 4. ch. 2. s. 18. v. 2. p. 31. n. 4. ED.]

BOOK VII.

OF THE ASCETICS IN THE PRIMITIVE CHURCH.

CHAP. I.

Of the difference between the first ascetics and monks, and of the first original of the monastic life.

Ascetics always in the Church; monks not so.

1. THEY, who are conversant in the writings of the Ancients, will very often meet with the name ἀσκηταὶ, *ascetics*, applied to some Christians by way of distinction from others. The generality of writers in the Romish Church, wherever they meet with this word, lay hold of it as an argument to prove the antiquity of monks in the Church; whereas indeed there was a very wide difference between them. For though in the writers of the fourth and fifth ages, when the monastic life was fully established, ascetics and monks often signify the same persons; yet for the greatest part of the three first centuries it was otherwise; for there were always ascetics in the Church, but not always monks retiring to the deserts and mountains, or living in monasteries and cells, as in after-ages.

This difference acknowledged by some in-

2. This difference is freely confessed by some of the more frank and ingenuous writers of the Romish Church; as Valesius[69] and Mr. Pagi[70], who correct the mistake of Baronius,

[69] Not. in Euseb. l. 2. c. 17. (v. 1. p. 66. n. 1.) Τῶν παρ' ἡμῖν ἀσκητῶν. Musculus et Christophorsonus monachos his verbis significari existimarunt: a quibus magnopere dissentio: ἀσκητὰς enim priscis illis temporibus vocabant eos, qui inter Christianos strictius quoddam ac durius vitæ genus profitebantur. Quam vocem a philosophis mutuati erant, qui exercitationem virtutis atque abstinentiæ ἄσκησιν vocabant. Est apud Arrianum, in l. 3. Dissertationum, caput Περὶ Ἀσκήσεως. Sic apud Artemidorum, in l. 4. c. 35. Alexander quidam philosophus ἀσκητὴς vocatur. Et Philo in illud, Excitatus est Noë, p. 280, ἀσκητὴν, pietatis exercitiis deditum, vocat. Recte igitur Rufinus hæc Eusebii verba tam de clericis quam de monachis interpretatus est: *Sed et abstinentium vitas, eorum duntaxat, qui nunc in ecclesiis vel monasteriis degunt,*

Christophorson, and others in this matter. Eusebius speaking of Philo Judæus's description of the Egyptian *therapeutæ*, says[71], 'he therein exactly described the life of the Christian ascetics, that lived in those times.' Where, by ascetics, Christophorson and Baronius understand *monks* and *religious*, as they speak in the modern style; but Valesius rightly observes, that there were no monks in the time of Philo, but both the name and institution of them was of much later date. *Ascetic* was a more general name than that of *monk;* for though every monk was an ascetic, yet every ascetic was not a monk: but anciently every Christian, that made profession of a more strict and austere life, was dignified with the name of *ascetic;* which is a name borrowed by the Christians from the ancient philosophers, as Valesius shews out of Arrian, Artemidorus, and Philo; and signifies, as the word imports, any one that exercises himself by the severe rules of abstinence and virtue; of which kind there were always ascetics, without being monks, from the first foundation of the Church by the Apostles.

genuous writers in the Romish Church.

3. Such were all those, that inured themselves to greater degrees of abstinence and fasting than other men. As those mentioned by Origen[72], who abstained from flesh and living creatures as well as the Pythagoreans, but upon very different principles and designs. The Pythagoreans 'abstained upon the fond imagination of the transmigration of souls, lest a father should kill and eat his own son in the body of a living creature;

What the primitive ascetics were.

describit ad liquidum. Hæc si animadvertisset Scaliger, non tam facile reprehendisset Eusebium. Neque enim Eusebius monachos a Marco institutos esse dicit Alexandriæ, sed ascetas. Hi autem multum distant a monachis, ut genus distat a specie. Et ascetæ quidem in ecclesia fuerunt semper: monachorum vero nomen et institutum serius cœpit. Scio Cassianum, in l. 2. Institutionum, c. 5., Sozomenum, et alios hunc Eusebii locum de monachis accepisse. Verum hi ab Eusebii mente, meo quidem judicio, longe aberrarunt. [See also n. 85, following. ED.]

[70] Crit. in Baron. an. 62. n. 4. (t. 1. p. 48.) Eusebius, lib. 2. c. 17., de Philone loquens, ait, &c.

[71] L. 2. c. 17. (v. 1. p. 66. 2.)... Τὸν βίον τῶν παρ' ἡμῖν ἀσκητῶν ὡς ἔνι μάλιστα ἀκριβέστατα ἱστορῶν, κ. τ. λ.

[72] Cont. Cels. l. 5. p. 264. (t. 1. p. 615 e.) Ὅρα δὲ καὶ τὴν διαφορὰν τοῦ αἰτίου τῆς τῶν ἐμψύχων ἀποχῆς, τῶν ἀπὸ τοῦ Πυθαγόρου καὶ τῶν ἐν ἡμῖν ἀσκητῶν· ἐκεῖνοι μὲν, διὰ τὴν περὶ ψυχῆς μετενσωματουμένης μῦθον, ἐμψύχων ἀπέχονται·

——καί τις, φίλον υἱὸν ἀείρας,
Σφάξει ἐπευχόμενος μέγα νήπιος;—

ἡμεῖς δὲ, κἂν τὸ τοιοῦτο πράττωμεν, ποιοῦμεν αὐτὸ, ἐπεὶ ὑπωπιάζομεν τὸ σῶμα καὶ δουλαγωγοῦμεν· καὶ βουλόμεθα νεκροῦν τὰ μέλη τὰ ἐπὶ τῆς γῆς, πορνείαν, ἀκαθαρσίαν, ἀσέλγειαν, πάθος, ἐπιθυμίαν κακήν· καὶ πάντα γε πράττομεν, ἵνα τὰς πράξεις τοῦ σώματος θανατώσωμεν.

but the ascetics,' says he, 'among us do it only to keep under the body, and bring it into subjection; to mortify their members upon earth, fornication, uncleanness, lasciviousness, and all inordinate passions and affections.' Such abstinence the Apostolical Canons call[73] *ἄσκησις, the exercise of an ascetic life*, saying, 'If any bishop, presbyter, or deacon, or any other of the clergy, abstain from marriage, flesh, or wine, *οὐ διὰ ἄσκησιν, ἀλλὰ διὰ βδελυρίαν, not for exercise sake, but as abominating the good creatures of God, &c.*, let him either reform himself, or be deposed and cast out of the Church.' So that all, who exercised themselves with abstinence from flesh, only for mortification, and not out of an opinion of its uncleanness, as some heretics did, were reckoned ascetics, whether they were of the laity or clergy. Some of these not only abstained from flesh, but often continued their fasts for two or three days together without taking any food at all; of which there are frequent instances in Irenæus[74], and Dionysius of Alexandria[75], and Epiphanius[76], and others. And such again were called *ascetics*[77] from the severe exercise of fasting, to which they accustomed themselves.

Secondly, in like manner, they who were more than ordinary intent upon the exercise of prayer, and spent their time in devotion, were justly thought to deserve the name of *ascetics*. Whence Cyril of Jerusalem[78], speaking of Anna, the prophet-

[73] C. 51. [al. 50.] (Cotel. [c. 43.] v. 1. p. 445.) Εἴ τις ἐπίσκοπος, ἢ πρεσβύτερος, ἢ διάκονος, ἢ ὅλως τοῦ καταλόγου τοῦ ἱερατικοῦ, γάμου, [al. γάμων,] καὶ κρεῶν, καὶ οἴνου, οὐ δι' ἄσκησιν, ἀλλὰ διὰ βδελυρίαν ἀπέχεται, ἐπιλανθανόμενος [al. ἐπιλαθόμενος] ὅτι πάντα καλὰ λίαν, καὶ ὅτι ἄρρεν [al. ἄρσεν] καὶ θῆλυ ἐποίησεν ὁ θεὸς τὸν ἄνθρωπον, ἀλλὰ βλασφημῶν διαβάλλει τὴν δημιουργίαν, ἢ διορθούσθω, ἢ καθαιρείσθω, καὶ τῆς ἐκκλησίας ἀποβαλλέσθω.

[74] Ap. Euseb. l. 5. c. 24. (v. 1. p. 246. 2.) Οἱ μὲν γὰρ οἴονται μίαν ἡμέραν δεῖν αὐτοὺς νηστεύειν· οἱ δὲ καὶ πλείονας· οἱ δὲ τεσσαράκοντα ὥρας ἡμερινάς τε καὶ νυκτερινὰς συμμετροῦσι τὴν ἡμέραν αὐτῶν.

[75] Ep. Canon. ap. Bevereg. Pand. (t. 2. part 1. p. 3 a.) Ἐπεὶ μηδὲ τὰς ἐξ τῶν νηστειῶν ἡμέρας ἴσως μηδὲ ὁμοίως πάντες διαμένουσιν· ἀλλ' οἱ μὲν καὶ πάσας ὑπερτιθέασιν, ἄσιτοι διατελοῦντες, οἱ δὲ δύο, οἱ δὲ τρεῖς, οἱ δὲ τέσσαρας, οἱ δὲ οὐδεμίαν.

[76] Expos. Fid. n. 22. (t. 1. p. 1105 c.) Ἀλλὰ καὶ οἱ σπουδαῖοι διπλᾶς, καὶ τριπλᾶς, καὶ τετραπλᾶς ὑπερτίθενται, καὶ ὅλην τὴν ἑβδομάδα τινὲς ἄχρι ἀλεκτρυόνων κλαγγῆς, τῆς Κυριακῆς ἐπιφωσκούσης.

[77] Vid. Antioch. Hom. 7. ap. Bibl. Patr. Gr. Lat. s. Auctar. Ducæan. (t. 1. p. 1037 b. 7.) Νηστεία οὖν ἐστὶν οὐ μόνον τὸ βραδυφαγῆσαι, ἀλλὰ καὶ τὸ βραχυφαγῆσαι, καὶ οὐ διὰ δύο ἐσθίειν· τοῦτο ἄσκησίς ἐστιν· ἀλλὰ τὸ μὴ πολυφαγῆσαι· ἄσκησις γάρ ἐστιν ἐν μονοειδεῖ τροφῇ συνεσταλμένη τράπεζα.

[78] Catech. 10. n. 9. [al. 19] (p.

ess, who departed not from the temple, but served God with fasting and prayer night and day, styles her ἀσκήτρια εὐλαβεστάτη, *the religious ascetic*, which the common translations, not so correctly, render *monialis*, as if she had been confined to a monastery or a cloister; of which we read nothing in those times in Jerusalem.

Thirdly, The exercise of charity, and contempt of the world, in any extraordinary degree, as when men gave up their whole estate to the service of God or use of the poor, was another thing that gave men the denomination and title of *ascetics*. In this respect St. Jerom[79] calls Pierius a wonderful ascetic, because, among other things, he embraced a voluntary poverty, and lived an austere and philosophic life. And perhaps for the same reason, he gives Serapion, bishop of Antioch, the same title[80], as having freely given up his whole estate to the service of the Church upon his ordination; which was a practice very common in those days, as appears from the examples of Cyprian, Paulinus, Gregory Nazianzen, and many others.

Fourthly, The widows and virgins of the Church, and all such as confined themselves to a single life, and made themselves eunuchs for the kingdom of heaven's sake, were reckoned into the number of ascetics, though there was then neither cloister nor vow to keep them under this obligation. Thus Epiphanius[81] observes of Marcion, that before he fell into his heresy he lived an ascetic life, professing celibacy under his father, who was bishop of Sinope in Pontus, by whom he was excommunicated for corrupting the virgins of the Church. Origen[82], in like manner, alludes to this name when he says, the number of those who exercised themselves in perpetual virginity among the Christians, was great in comparison of those few who did it among the Gentiles. And hence, in after-ages, the word

146 b.) .... Καὶ Ἄννα προφῆτις ἐγκρατὴς, εὐλαβεστάτη, καὶ ἀσκήτρια, κ. τ. λ.

[79] De Scriptor. Eccles. c. 76. (t. 2. p. 901.) Constat hunc miræ ἀσκήσεως et appetitorem voluntariæ paupertatis.

[80] Ibid. c. 41. (p. 869.) Leguntur et sparsim ejus breves epistolæ, auctoris sui ἀσκήσει et vitæ congruentes.

[81] Hær. 42. n. 1. (t. 1. 302 b.) Τὸν δὲ πρῶτον αὐτοῦ βίον παρθενίαν δῆθεν ἤσκει. μονάζων γὰρ ὑπῆρχε, καὶ υἱὸς ἐπισκόπου τῆς ἡμετέρας ἁγίας καθολικῆς ἐκκλησίας.

[82] Cont. Cels. l. 7. p. 365. (t. 1. p. 729 e.) Ἐν δὲ Χριστιανοῖς οὐ διὰ τὰς παρὰ ἀνθρώποις τιμὰς, οὐ διὰ μισθοὺς καὶ ἀργύρια, οὐδὲ διὰ δοξάριον, ἀσκοῦσι τὴν παντελῆ παρθενίαν.

ascetriæ, in the Civil Law[83], is commonly put to signify the widows and virgins of the Church.

Lastly, All such as exercised themselves with uncommon hardships or austerities for the greater promotion of piety and religion, as in frequent watchings, humicubations, and the like, had the name of *ascetics* also. In allusion to which, Athanasius, or whoever is the author of the Synopsis Scripturæ among his works, styles Lucian the martyr[84] *μέγαν ἀσκητὴν, the great ascetic*, because of the hardships he endured in prison, being forced to lodge on sharp potsherds for twelve days together, with his feet and hands so bound in the stocks that he could not move, and being denied all sustenance, except he would eat things sacrificed to idols; rather than pollute himself with which he chose to die with famine, as the Acts of his Martyrdom relate the story.

Now, from this account that has been given of the primitive ascetics it plainly appears, that originally they were not monks, but men of all orders, that freely chose such a way of living as engaged them upon some austerities, without deserting their station or business in the world, whether it were ecclesiastical or secular, that they were otherwise engaged in; and therefore, wherever we read of ascetics in the writers of the three first ages, we must not, with Baronius, dream of monks and regulars, but take them for persons of another character, agreeable to this description. Valesius[85] makes this observation upon several passages in Eusebius's Book of the Martyrs of Palestine, who suffered in the beginning of the fourth century, in the Diocletian persecution. There he terms one of them[86] 'Peter the ascetic;' and another, called Seleucus[87], 'a follower of the

[83] Justin. Novel. 123. c. 43. (t. 5. p. 562.) Si quis rapuerit, aut solicitaverit, aut corruperit ascetriam, &c.

[84] Synops. t. 2. p. 157. (t. 2. p. 156 b.) Ἑβδόμη πάλιν καὶ τελευταία ἑρμηνεία, ἡ τοῦ ἁγίου Λουκιανοῦ, τοῦ μεγάλου ἀσκητοῦ καὶ μάρτυρος, κ.τ.λ.

[85] In Euseb. de Mart. Palæstin. c. xi. (v. 1. p. 432. n. 1.) Male Christophorsonus monachos intellexit. Neque enim tunc temporis ulli adhuc erant monachi. Aut si qui erant, longe ab illis distabant *ascetæ*. Nam monachi, ut nomen ipsum indicat, solitudinem sectabantur; ascetæ vero in mediis versabantur urbibus. Quicumque igitur ex Evangelii præceptis severiorem vitam instituerant, et cuncta propter Deum reliquerant, *ascetæ* dicebantur. Sic Petrus quidam asceta, et virgo ascetria, nominatur supra in hoc Eusebii libro: quos si quis monachos nominare vellet, is procul dubio falleretur.

[86] Euseb. ipse, ibid. c. 10. (p. 426. 16.) .... Πέτρος ἀσκητὴς ὁ καὶ Ἀψέλαμος.

[87] Ibid. c. 11. (p. 432. 13.) Μετὰ

religious ascetics, whose chief exercise was to take care of the fatherless and widows, and minister to the sick and the poor.' These were no monks, as Valesius rightly observes; for St. Jerom says there were no monks in Palestine before Hilarion, who brought the monastic life into use in that country, nor till about fifty years after the death of those martyrs. Cotelerius[88] makes the like remark upon the author of the Apostolical Constitutions[89], who speaks of ascetics among other orders of Christians, but never of monks; whence he concludes, not without some probability, 'that that author wrote before the monastic life was settled in the Church; else it is hardly to be imagined that he should not somewhere in his Collections have taken notice of monks as well as others.'

When th monastic life first began.

4. Ascetics, then, there always were in the Church; but the monastic life, neither name nor thing, was not known till toward the fourth century. Mr. Pagi[90] fixes its original to the

δὲ τὴν τῆς στρατείας ἀπαλλαγὴν, ζηλωτὴν ἑαυτὸν καταστήσας τῶν τῆς θεοσεβείας ἀσκητῶν, ὀρφανῶν ἐρήμων καὶ χηρῶν ἀπεριστάτων, τῶν τε ἐν πενίαις καὶ ἀσθενείαις ἀπερριμμένων, ἐπίσκοπος, ὥσπερ καὶ ἐπίκουρος, πατρὸς καὶ κηδεμόνος δίκην ἀναπέφανται.

[88] In Constit. Apost. l. 8. c. 13. (v. 1. p. 405. n. 76.) *Οἱ ἀσκηταί.* Non monachi ascetæ; sed laici, in severioribus pietatis officiis sese exercentes: quales semper inter Christianos exstitisse dubitari non debet; ut et ecclesiasticas virgines nequaquam moniales ascetrias. Nam opus, quod notis imus illustratum, *ante exortum vitæ monasticæ conscriptum fuit:* unde in eo nulla illius mentio, multa habenda, si per tempus licuisset. Vocabulorum autem *ἀσκήσεως* et *ἀσκητῶν* in austeriori vita, absque monachatu tamen, exempla sunt obvia.

[89] Ibid. (Cotel. p. 405.) .... *Καὶ μετὰ τοῦτο μεταλαμβανέτω ὁ ἐπίσκοπος, ἔπειτα οἱ πρεσβύτεροι, καὶ οἱ διάκονοι, καὶ ὑποδιάκονοι, καὶ οἱ ἀναγνῶσται, καὶ οἱ ψάλται, καὶ οἱ ἀσκηταὶ, καὶ ἐν ταῖς γυναιξὶν αἱ διακόνισσαι, καὶ αἱ παρθένοι, καὶ αἱ χῆραι, εἶτα τὰ παιδία, καὶ τότε πᾶς ὁ λαὸς κατὰ τάξιν μετὰ αἰδοῦς καὶ εὐλαβείας ἄνευ θορύβου.*

[90] Crit. in Baron. an. 318. n. 12. [al. 14.] (t. 1. p. 390.) In Actis S. Pachomii a monacho supparis ævi scriptis, capite primo, dicitur: *Cum finem accepisset persecutio, regnavit Constantinus M., imperatorum Romanorum primus Christianus; et adversus tyrannum quendam bello contendens, multos etiam tirones conquiri jussit: quos inter ipse quoque in militiam abreptus est Pachomius, vigesimum tunc circiter agens ætatis suæ annum:* et deinde ait, Pachomium sub Palæmone in Ægypto monachatum amplexum esse. Hactenus ignoratum, de quo tyranno ibi sermo fiat. Baronius quidem Licinium intelligit; alii Maxentium; alii Achillem, qui, Diocletiano imperante, tyrannidem in Ægypto arripuit. Sed quidquid sit, recte Holstenius, in Præfatione ad Regulas Veterum Monachorum, ætati Constantini M. vitæ regularis initia imputat: illi enim consentit Actorum S. Pachomii auctor, cum dicit in Prologo, quod, extremæ persecutionis tempore .... *tunc et monasteria cœpta sunt exstrui, et ascetarum habitacula in vitæ innocentia et rerum omnium abdicatione fundari;* idque, ut ait ipse, exemplo potissimum *S. Antonii, ascetæ clarissimi et in omni virtutum*

time of Constantine, and he cites Holstenius[91] and Papebrochius[92] for the same opinion. The rise of it was thus.

In the Decian persecution, which was about the middle of the third century, many persons in Egypt, to avoid the fury of the storm, fled to the neighbouring deserts and mountains, where they not only found a safe retreat, but also more time and liberty to exercise themselves in acts of piety and divine contemplations; which sort of life, though at first forced upon them by necessity, became so agreeable to some of them, that when the persecution was over, they would not return to their ancient habitations again, but chose rather to continue in those cottages or cells, which they had made themselves in the wilderness. The first and most noted of these were Paul and Antonius, two famous Egyptians, whom therefore St. Jerom[93] calls 'the fathers of the Christian hermits.' For though some deduced them from John the Baptist and Elias, yet they who understood the matter best reckoned Paul the Thebean the first author, and Antony the great encourager of that way of living among the Christians; to which opinion, as the truest, St. Jerom himself[94] subscribes. But as yet there were no bodies or communities of men embracing this life, nor any monasteries built, or any regular societies formed into any method of government, but only a few single persons scattered here and there in the deserts of Egypt, till Pachomius, in the peaceable reign of Constantine, when the persecutions were ended, procured some monasteries to be built in Thebais, in Egypt, from whence the custom of

genere excellentis; cujus ea fuit vitæ ratio, quam et magnus Elias, et Elisæus, et Joannes Baptista, quondam tenuerunt.

[91] Præfat. ad Regul. Vet. Monach. c. 1. (Paris. 1663. 4to.) Verum ut alia multa ecclesiastica monumenta illorum temporum, sic memoria distinctior primævæ illius vitæ regularis, Diocletiani flammis, quibus Christiana tabularia conflagravit, abolita fuit. Ex his porro, quæ supersunt, monumentis ætati Constantini Magni vitæ regularis initia imputanda sunt: tunc scilicet per ecclesiæ pacem ea perpetuari sine interpellatione, dilatari sine obstaculis, potuit.

[92] Comment. in Acta Pachomii, die Maii 14. (Ed. Venet. ap. Prolog. t. 3. p. 295 e. 20.) See note 91, preceding.

[93] Ep. 22. ad Eustoch. c. 36. (t. 1. p. 118 e.) .... Ad tertium genus veniam, quos *anachoretas* vocant; qui et de cœnobiis exeuntes, excepto pane et sale, ad deserta nihil perferunt amplius. Hujus vitæ auctor Paulus, illustrator Antonius.... fuit.

[94] Vit. Pauli, t. 1. p. 237. c. 1. (t. 2. p. 1 a.) .... Affirmant Paulum, quendam Thebæum, principem istius rei fuisse: quod non tam nomine, quam opinione nos quoque comprobamus. [Vallarsius reads,—principem istius rei, non nominis; quam &c. Ed.]

gulars in societies was followed by degrees in other world in the succeeding ages. This is evident from rochius and Pagi[95] have observed out of the ancient ıe acts of Pachomius, where the author brings in ə hermit, thus comparing the different states of together. 'When I first became a monk,' says he[96], as yet no monastery in any part of the world, where ıs obliged to take care of another; but every one nt monks, when the persecution was ended, exercised life by himself in private. But afterward your fa- nius,' (he speaks to one of Pachomius's disciples,) lp of God, effected this.'—that is, he brought the ve in communities and under rules, which they had ɔfore. So that here we see at once the rise and the monastic life. Till the year 250 there were ɔut only ascetics, in the Church: from that time to f Constantine monachism was confined to the an- ng in private cells in the wilderness: but when had erected monasteries in Egypt, other countries llowed the example, and so the monastic life came aturity in the Church. Hilarion, who was scholar , was the first monk that ever lived in Palestine or St. Jerom[97] says plainly, there was neither monas- nk before he came there; but he was the founder r of that sort of life in those provinces. Not long hius, bishop of Sebastia, brought it into the regions Paphlagonia, and Pontus, as Sozomen[98] informs us; here were no monasteries in Thrace, or Illyricum,

Baron. an. 318. n. 12. p. 390.) See the next

ıom. c. 77. [al. 10.] ap. e Maii 14. (t. 3. p. 326 quo ego primum tem- m cœpi agere, nullum ɔat cœnobium, in quo alute cura aut metus Sed quisque anti- ıchorum, persecutione ratim in vita sese mo- ɔat: postea vero pater nius] tantum bonum, , effecit.

rion. c. 11. [al. c. 14.] Necdum enim tunc monasteria erant in Palæstina, nec quisquam monachos [al. monachum] ante sanctum Hilarionem in Syria noverat. Ille fundator et eruditor hujus conversationis et studii in hac provincia fuit.

[98] L. 3. c. 14. (v. 2. p. 115. 16.) *Ἀρμενίοις δὲ καὶ Παφλαγόσι καὶ τοῖς πρὸς τὸν Πόντον οἰκοῦσι λέγεται Εὐστάθιος, ὁ τὴν ἐν Σεβαστίᾳ τῆς Ἀρμενίας ἐκκλησίαν ἐπιτροπεύσας, μοναχικῆς πολιτείας ἀρξαι· καὶ τῆς ἐν ταύτῃ σπουδαίας ἀγωγῆς, ἐδεσμάτων τε, ὧν χρὴ μετέχειν καὶ ἀπέχεσθαι, καὶ ἐσθῆτος, ᾗ δεῖ κεχρῆσθαι, καὶ ἠθῶν, καὶ πολιτείας ἀκριβοῦς εἰσηγητὴν γενόμενον.*

or amongst the Europeans, as the same author testifies. Baronius[99] owns there were no monasteries in Italy or Rome, till Athanasius came thither, anno 340, and taught the anchorets to live in societies, after the example of Pachomius and the Egyptian monks. Which is confirmed by St. Jerom[1], who says, Marcella was the first noble woman that embraced the monastic life at Rome, and that she was instructed by Athanasius, and Peter, his successor, who fled to Rome for shelter against the Arian persecution. It was some time after this that St. Martin, bishop of Tours, fixed his cell in France, and eighty other monks[2] followed his example. From whence, some learned men[3] think, Pelagius brought the monastic life first into Britian in the beginning of the fifth century; beyond which period I think it needless to carry the present inquiry. They who would know the rise and distinction of the several later orders may consult Hospinian, Creccelius, and others[4], who pursue this history through all ages.

a what the scetics differed from onks.

5. But it may now be properly inquired, since monks are of so much later date than ascetics, *how the ancient ascetics differed from them?*—To which it may be replied, chiefly in these three things:

1st. That the monks were men that retired from the business and conversation of the world; for they either lived in private cells singly by themselves; or, if in monasteries and societies, yet those were remote from cities, in some far distant

[99] An. 340. n. 7. (t. 3. p. 527 c.) Quam vero proficuus fuerit Athanasii Romam accessus, vel ex eo potest intelligi, quod in urbem invexerit ipse primus Ægyptiorum monachorum institutionem, vitamque admirandam Antonii Magni, licet adhuc viventis, a se conscriptam detulerit, &c.

[1] Ep. 16. [al. 127.] Epitaph. Marcellæ. (t. 1. p. 948 b.) Nulla eo tempore nobilium fœminarum noverat Romæ propositum monachorum, nec audebat, propter rei novitatem, ignominiosum, ut tunc putabatur, et vile in populis nomen assumere. Hæc [Marcella] ab Alexandrinis sacerdotibus, Papaque Athanasio, et postea Petro, qui, persecutionem Arianæ hæreseos declinantes, quasi ad tutissimum communionis suæ portum Romam confugerant, vitam Beati Antonii adhuc tunc viventis, monasteriorumque in Thebaide Pachomii et virginum ac viduarum didicit disciplinam.

[2] Vid. Sulp. Sever. Vit. Martin. c. 7. (p. 473.) Discipuli octoginta erant, qui ad exemplum beati magistri instituebantur.

[3] Sutlif. de Monach. Institut. c. 6. (p. 17.) In Galliam monasticam primus intulit Martinus, in Britanniam Pelagius.

[4] Vid. Hospinian. de Origin. Monachat. Præf. Glossar. et Act. ad Benedict. Cod. Regular. (Paris. 1663. 4to.)—Creccel. Collectan. de Origin. et Fundat. Ordinum Monastic. &c. (Francofurt. 1614. 4to.)

mountain, or a desert wilderness. But the first ascetics, as their name implies, were always men of an active life, living in cities, as other men, and in nothing differing from them, save only in this, that they were more intent and zealous in attempting greater heights and heroical acts of Christian virtue.

2nd. The monks, by their first institution, as we shall see hereafter, were to be no more than laymen; for, being confined to the wilderness, the clerical and monastic life were upon that account incompatible states, and for almost one whole age they were scarce ever joined together. But the ancient ascetics were indifferently persons of any order of men, clergy as well as laity, because the clerical and ascetic life were then consistent with each other; the business of each being to converse with men, and exercise themselves in acts of piety and charity among them.

3rd. The monks, at least such as lived in monasteries and societies, were always brought under certain private rules and laws of discipline. But the ancient ascetics had no laws but those of the Gospel, and the Church where they lived, to be governed by; their exercises were freely chosen, and as freely pursued, in what manner, and to what degree they pleased, without any binding laws or rules of compulsion. And these things are a further proof that the first ascetics were no monks, however some writers unwarily confound them together.

What other names they were called by.

6. The reader may take notice of one thing more concerning the primitive ascetics, that they were sometimes called by other names. Eusebius[5] calls them σπουδαῖοι, and Epiphanius[6] uses the same appellation; meaning persons more eminent for their sanctity and diligence in the exercises of fasting, and prayer, and alms-deeds, and the like. Clemens Alexandrinus[7] styles them ἐκλεκτῶν ἐκλεκτότεροι, *the elect of the elect;* for all Christians, as has been observed in another place[8], were called *the elect,* and therefore the ascetics are termed *the elect of the elect,* because they were the more eminent or choice part of Christian professors.

[5] L. 6. c. 11. (v. 1. p. 268. 29.).. Τοῖς μάλιστα αὐτῶν σπουδαίοις ...

[6] Expos. Fid. n. 22.—See s. 3. p. 320. n. 76.

[7] Hom. Quis dives salvetur? n. 36. ap. Combefis. Auctar. Noviss. p. 181. d. 9. (int. Oper. Clem. Oxon. 1715. p. 955. 29.) Οὐ μὴν ἀλλ' εἰσὶν ἤδη τινὲς καὶ τῶν ἐκλεκτῶν ἐκλεκτότεροι, καὶ τοσούτῳ μᾶλλον ἧττον ἐπίσημοι, κ. τ. λ.

[8] B. 1. ch. 1. s. 1. v. 1. p. 1.

CHAP. II.

Of the several sorts of monks, and their ways of living in the Church.

Several sorts of monks distinguished by their different ways of living.

1. HAVING hitherto shewed the difference between the first ascetics and monks, I come now to speak a little more particularly of the monks alone, so far as may be necessary to inform the reader of the true state of the monastic life at its first appearance and settlement in the Church. And here we are to observe, that the ancient monks were not like the modern, distinguished into orders, and denominated from the authors and founders of them; but they had their names either from the places where they inhabited, as the monks of mount Scethis, Tabennesus, Nitria, Canopus in Egypt, &c.; or else they were distinguished by their different ways of living, some in cells, others on pillars, others in societies, and others by a roving and rambling kind of life, which were always reckoned a dishonour and reproach to the Church.

The first, called *Anchorets*, Ἀναχωρηταί.

2. The first sort were commonly known by the name of *Anchorets*, from their retiring from society, and living in private cells in the wilderness. Such were Paul, and Antony, and Hilarion, the first founders of the monastic life in Egypt and Palestine; from whom other monks took their model. Some of these lived in caves, ἐν σπηλαίοις, as, Chrysostom[9] says, the monks of mount Casius, near Antioch, did; and others in little tents or cells;—οἰκίσκοι, Evagrius[10] them; and Chrysostom, σκηναὶ, *tabernacles*. When many of these were placed together in the same wilderness at some distance from one another, they were all called by one common name, *laura;* which, as Evagrius[11] informs us, differed from a *cœnobium* or

[9] Hom. 17. ad Pop. Antioch. p. 215. (t. 2. p. 172 a.) Ἔτεσι γὰρ τοσούτοις ἐν ταῖς αὐτῶν καλύβαις συγκεκλεισμένοι, οὐδενὸς παρακαλέσαντος, οὐδενὸς συμβουλεύσαντος, ἐπειδὴ τοσοῦτον νέφος εἶδον τὴν πόλιν περιϊστάμενον, καταλιπόντες αὐτῶν τὰς σκηνὰς, καὶ τὰ σπήλαια, πάντοθεν συνέρρευσαν, κ. τ. λ.

[10] L. 1. c. 21. (v. 3. p. 277. 13.) Ἕτεροι δ' αὖ πάλιν ἀπεναντίας ἰόντες, μόνους ἑαυτοὺς καθειργνύουσιν ἐν οἰκίσκοις, τοσοῦτον εὖρος, τοσοῦτον ὕψος ἔχουσιν, ὡς μηδὲ τὰ σώματα ἀνορθοῦν, μηδὲ μὲν ἐπ' ἀδείας τὰς κλίσεις ποιεῖσθαι, σπηλαίοις προσκαρτεροῦντες καὶ ταῖς ὀπαῖς τῆς γῆς, κατὰ τὴν τοῦ Ἀποστόλου φωνήν.

[11] Ibid. (p. 276. 18.) Ὅμως δ' οὖν ἀνὰ τὴν ἁγίαν τοῦ Χριστοῦ πόλιν γενομένη, πολλὰ πρὸς τιμῆς τοῦ Σωτῆρος πέπραχε Θεοῦ· ὥστε καὶ εὐαγῆ δείμασθαι φροντιστήρια καὶ τὰς καλουμένας λαύρας.

community in this, that a *laura* was many cells divided from each other, where every monk provided for himself; but a *cœnobium* was but one habitation, where the monks lived in society, and had all things in common. Epiphanius[12] says *laura* or *labra* was the name of a street or district, where a church stood at Alexandria; and it is probable that from thence the name was taken to signify a multitude of cells in the wilderness, united, as it were, in a certain district, yet so divided as to make up many separate habitations; whereas a *cœnobium* was more like a single house for many monks to dwell in.

3. And hence arose a second sort of monks, who, from their different way of living, were commonly called *Cœnobitæ;* and their habitations *cœnobia*, κοινόβια, because they *lived in common*. In the Theodosian Code[13] they are also called *Synoditæ*, which does not signify *the attendants* of monks, as some Civilians[14] by mistake explain the word, deriving it from σὺν and ὁδίτης, *viator;* but it denotes the monks themselves, who were so called from their living ἐν συνόδοις, *in communities* or *conventions*. And in this they differed from anchorets, as has been noted before. Gennadius[15] applies these two names indifferently to this second sort of monks, when he says, 'Evagrius wrote a book concerning Cœnobites and Synodites, containing rules and directions for leading a life in common.' St. Jerom[16]

The second, *Cœnobitæ* or *Synoditæ*.

[12] Hær. 69. Arian. n. 1. (t. 1. p. 727 c.) Ὅσαι γὰρ ἐκκλησίαι τῆς καθολικῆς ἐκκλησίας ἐν Ἀλεξανδρείᾳ ὑπὸ ἕνα ἀρχιεπίσκοπον οὖσαι, καὶ κατ' ἰδίαν ταύταις ἐπιτεταγμένοι εἰσὶ πρεσβύτεροι, διὰ τὰς ἐκκλησιαστικὰς χρείας τῶν οἰκητόρων, πλησίων ἑκάστης ἐκκλησίας αὐτῶν, καὶ ἀμφόδων, ἤτοι λαβῶν [forte λαυρῶν, Petav. in marg.] ἐπιχωρίως καλουμένων, ὑπὸ τῶν τὴν Ἀλεξανδρέων κατοικούντων πόλιν.

[13] L. 11. tit. 30. de Appellat. leg. 57. (t. 4. p. 271.) Addictos supplicio.... nulli clericorum vel monachorum, eorum etiam quos *Synoditas* vocant, per vim atque usurpationem vindicare liceat, &c.—Conf. Cod. Justin. l. 1. tit. 4. de Episcop. Audient. leg. 6. (t. 4. p. 148.)

[14] Vid. Lex. Juridic. voce *Synoditæ* (Genev. 1615. p. 1138.) Συνοδῖται.. ...dici videntur comites monachorum, nam ὁδίτης viatorem significat. Solent autem monachi ex collegii sui inferiore ordine quempiam deligere, qui eos comitetur, quos Galli *culopolosos* appellant, quod, ut quidam aiunt, a tergo monachorum concionantium sedentes, illos horæ præteritæ *culi pulsione* admoneant.

[15] De Scriptor. Eccles. in Evagr. c. 11. (int. Oper. Hieron. t. 2. p. 957.) Composuit de Cœnobitis ac Synoditis doctrinam aptam vitæ communis.

[16] Ep. 22. ad Eustoch. c. 15. (t. 1. p. 116 d.) Tria sunt in Ægypto genera monachorum: primum [al. unum] *Cœnobitæ*, quod illi *Sauches* gentili lingua vocant; nos, *in commune viventes*, possumus appellare. Secundum *Anachoritæ*, [al. Anachoretæ,] quod [al. qui] soli habitant per deserta, et ab eo quod procul

says, 'the Egyptians called this sort of monks *Sauches*, in their proper tongue,' which signifies the same as *Cœnobites* in the Greek and Latin Church; and that 'the anchorets were of a different order from them, and had their name from living in solitude, or singly by themselves in the wilderness.'

The third, *Sarabaitæ.*

4. There was 'another sort,' he says[17], 'whom the Egyptians called *Remboth*, who were a sort of monks that would live as they listed themselves, only two or three together, under no rule or government. They did not resort to the wilderness as the others, but lived chiefly in cities and castles, where every thing they did might be seen and valued by men, which was the only end they aimed at. For they turned religion into an art, and made a real gain of pretended godliness. Whatever they sold of the work of their own hands, was at a higher price than any others. And this made them very turbulent and contentious; for living upon their own labour, they would be subject to no superiors. They fasted to an extraordinary degree; but then they made that, which should have been a private exercise, matter of strife, and public victory, and triumph. Every thing about them was affected, loose sleeves, wide stockings, coarse clothes, often sighing, making frequent visits to the virgins, and always bitterly inveighing against the clergy. But, if ever there came a feast-day, they would indulge themselves even to riot and excess.' These, therefore, St. Jerom justly brands as the pests and banes of the Church. He, that would see more of their character, may consult Cassian[18],

ab hominibus recesserint, nuncupantur.

[17] Ibid. (e.) Tertium genus est quod *Remboth* [al. *Remoboth*] dicunt, deterrimum atque neglectum. Hi bini vel trini [al. terni] nec multo plures simul habitant, suo arbitratu ac ditione viventes .... Habitant autem quamplurimi [al. quamplurimum] in urbibus et castellis: et quasi ars sit sancta, non vita, quicquid vendiderint majoris est pretii. Inter hos sæpe sunt jurgia, quia, suo viventes cibo, non patiuntur se alicui esse subjectos. Revera solent certare jejuniis, et rem secreti victoriæ faciunt. Apud hos affectata sunt omnia, laxæ manicæ, caligæ follicantes, vestis crassior, crebra suspiria, visitatio virginum, detractio clericorum. Et si quando dies festus venerit, saturantur ad vomitum, &c.

[18] Collat. 18. c. 7. (p. 521.) Cumque his duabus professionibus monachorum [Cœnobitarum et Anachoretarum] religio Christiana gauderet, cœpisset autem in deterius paullatim hic quoque ordo recidere, emersit post hæc illud deterrimum et infidele monachorum genus, vel potius noxia illa plantatio rediviva concrevit, quæ, per Ananiam et Sapphiram in exordio ecclesiæ pullulans, Apostoli Petri severitate succisa est; quæ inter monachos tam diu detestabilis execrandaque judicata est, nec a quoquam ulterius usurpata,

among the ancient writers, who exposes them under the name of *Sarabaitæ;* and Spalatensis[19], among the moderns, who draws the parallel between them and the Minorites, Dominicans, Carmelites, Servites, and Minims of the Romish Church.

5. Another sort of monks in the ancient Church, of which there were but a very few, were the *Stylitæ* or *Pillarists*, so called from their taking up a singular way of living perpetually upon *a pillar*. Simeon, surnamed Stylites, who lived about the time of the Council of Chalcedon, was the first, Evagrius[20] Of the *Stylitæ* or *Pillarists.*

quamdiu illius tam districtæ formido sententiæ memoriæ fidelium inserta duravit, qua beatus Apostolus prædictos novi facinoris principes, non pœnitentia, non ulla passus est satisfactione curari, sed perniciosissimum germen celeri morte succidit. Illo igitur exemplo, quod in Ananiam et Sapphiram apostolica districtione punitum est, a nonnullorum contemplatione paullatim longa incuria et temporis obliteratione subtracto, emersit istud Sarabaitarum genus, qui ab eo, quod semetipsos a cœnobiorum congregationibus sequestrarent, ac sigillatim suas curarent necessitates, Ægyptiæ linguæ proprietate *Sarabaitæ* nuncupati sunt, de illorum quos prædiximus numero procedentes, qui evangelicam perfectionem simulare potius quam in veritate arripere maluerunt, æmulatione scilicet eorum, vel laudibus provocati, qui universis divitiis mundi perfectam Christi præferunt nuditatem. Hi igitur dum imbecillo animo rem summæ virtutis affectant, vel necessitate ad hanc professionem venire compulsi, dum censeri tantummodo nomine monachorum absque ulla studiorum æmulatione festinant, cœnobiorum nullatenus expetunt disciplinam, nec seniorum subjiciuntur arbitrio, aut, eorum traditionibus instituti, suas discunt vincere voluntates; nec ullam sane discretionis regulam legitima eruditione suscipiunt, sed ad publicam tantummodo, id est, ad hominum faciem renuntiantes, aut in suis domiciliis sub privilegio hujus nominis iisdem obstricti occupationibus perseverant; aut, construentes sibi cellulas, easque monasteria nuncupantes, suo in eis jure ac libertate consistunt, nequaquam evangelicis præceptionibus [al. præparationibus] succumbentes, ut nulla scilicet quotidiani victus solicitudine, nullis rei familiaris distentionibus, occupentur. Quid illi soli absque [ulla] infideli dubitatione consummant, qui cunctis mundi hujus facultatibus absoluti, ita se cœnobiorum præpositis subdiderunt, ut ne sui quidem ipsius fateantur esse se dominos? Illi autem, qui districtionem, ut diximus, cœnobii declinantes, bini vel terni in cellulis commorantur, non contenti abbatis cura atque imperio gubernari, sed hoc præcipue procurantes, ut, absoluti a seniorum jugo, exercendi [al. extendendi] voluntates suas, et procedendi, vel quo placuerit evagandi, agendive quod libitum fuerit, habeant libertatem, etiam amplius in operibus diurnis, quam hi, qui in cœnobiis degunt, diebus ac noctibus consumuntur, sed non ea fide eodemque proposito. Hoc enim isti faciunt, non ut fructum sui operis subjiciant dispensatoris arbitrio, sed ut acquirant pecunias, quas recondant.

[19] De Republic. part. 1. l. 2. c. 12. n. 77. (p. 378 d. 8.) Si nostri Minoritæ, Dominicani, Carmelitæ, Servitæ, Minimitæ, ac similes, non sunt ipsissimi Sarabaitæ, (bonos, si quis inter ipsos est verus Cœnobita, excipio,) quinam erant, aut jam diu fuerunt? Etiam Benedictinos quis non videt ferme plenissime jam diu in veros Sarabaitas degenerasse? &c.

[20] L. 1. c. 13. (v. 3. p. 265. 20.) Ἐν τούτοις τοῖς χρόνοις ἤκμασέ τε

says, that introduced this sort of life among the monastic orders. And Theodorus Lector[21] observes, 'that the novelty of it at first was so offensive to the Egyptian monks, that they sent anathematizing letters against him; but, upon better information, coming to understand the worth and conversation of the man, they afterward communicated with him.' The severity of this way of living was not very inviting, and therefore it made but few proselytes. Theodorus Lector[22] mentions one Daniel, a disciple of Simeon's; and Evagrius[23] speaks of another Simeon in the time of Mauricius, who lived sixty-eight years upon a pillar, and is commonly called Simeon Stylites Junior, to distinguish him from the former. Johannes Moschus[24] gives an account of two or three more of this way in the same age. Surius, also among his Catalogue of Saints, has the Life of one Alipius, bishop of Adrianople, who renounced his see to live upon a pillar; where, if the story say true[25], he

καὶ διεφάνη καὶ Συμεωνὴς, ὁ τῆς ὁσίας καὶ πάντα ἀοιδίμου μνήμης, πρῶτος τὴν ἐπὶ κίονος στάσιν ἐπιτηδεύσας, κ. τ. λ.

[21] L. 2. (ibid. p. 580. 31.) Οἱ ἐν Αἰγύπτῳ μοναχοὶ, περὶ τοῦ ἁγίου Συμεῶνος μαθόντες ὅτι ἐπὶ κίονος ἵσταται, μεταπεμψάμενοι τῷ ξένῳ τοῦ πράγματος, πρῶτος γὰρ αὐτὸς τοῦτο ἐπενόησεν, ἀκοινωνησίαν αὐτοῦ ἔπεμψαν· εἶτα ἐγνωκότες τὸν βίον τοῦ ἀνδρὸς, καὶ τὸν στέφανον, πάλιν αὐτῷ ἐκοινώνησαν.

[22] L. 1. (ibid. p. 567. 6.) Δανιὴλ ὁ θαυμάσιος, ἐκ τῆς Συμεῶνος μάνδρας ἐλθὼν, τῷ στύλῳ ἐπέβη τῷ ἐν τῷ Ἀνάπλῳ.

[23] L. 6. c. 23. (ibid. p. 471. 21.) Ἐν δὲ τούτῳ τῷ κίονι, καὶ ἐν ἑτέρῳ ἑστὼς ἀνωτάτω τοῦ ὄρους ἀκρωρείας, ὀκτὼ καὶ ἑξήκοντα διετέλει χρόνους.

[24] Prat.Spirit. c. 36. (ap. Bibl. Patr. Gr. Lat. t. 2. p. 1068.) Cum enim audisset [Sanctus Ephrem] de Stylite illo, qui erat in partibus Hierapolis, quod Severianæ esset hæreseos, abiit ad illum, ut impietatem diffunderet illi. Cœpit ergo divus Ephrem corripere Stylitem, &c.— C. 57. (ibid. p. 1078 e.) Ἀπὸ τεσσάρων σημείων τῆς πόλεως Αἰγαίων Στυλίτης ἵστατο ὀνόματι Συμεών. Οὗτος ἀπὸ ἀστραπῆς καταβληθεὶς, ἐτελεύτησεν· ὁ οὖν Ἀββᾶς Ἰουλιανὸς ὁ Στυλίτης, ὁ εἰς τὸν κίονα, παρὰ τὸν συνήθη καιρὸν, λέγει τοῖς μαθηταῖς αὐτοῦ, Βάλλετε θυμίαμα, κ. τ. λ.— C. 129. (ibid. p. 1113 a.) Ὁ πάλαι αὐτὸς Ἀββᾶς Ἀθανάσιος διηγήσατο, ὅτι ἀκήκοεν τοῦ Ἀββᾶ Ἀθηνογένους, τοῦ ἐπισκόπου Πέτρου, λέγοντος, ὅτι ἐν τῇ χώρᾳ σου Στυλίτης ἦν, καὶ πάντες οἱ ἐρχόμενοι πρὸς αὐτὸν κάτω ἑστῶτες ἐλάλουν αὐτῷ διὰ τὸ μὴ ἔχειν αὐτὸν κλίμακα, κ. τ. λ.

[25] Ap. Hospin. de Monach. l. 2. c. 5. p. 22. (fol. 21. vers.) Simile genus vitæ ingressus etiam est Alipius, episcopus Adrianopolitanus, qui, ut Surius habet, t. 6. de Vitis Sanctorum, valedicens terrenis omnibus et amicis et negotiis, vitam egit in columna, unde et *Ciconita* dictus est, per annos septuaginta, inter cœlum et terram pendens, adeoque paucis tabulis conclusus in capite columnæ, ut ne quidem parum sedere aut recumbere posset, sed perpetuo staret in ipsa tamquam statua ænea: quin etiam tabulis tandem dejectis, imbribus, nivi, frigori, et calori solis, ventis et tempestatibus obnoxius fuit, planeque sub dio vivit usque ad finem vitæ. Habuit sibi adjunctos duos choros virginum et unum monachorum, cum quibus alternatim hymnos et psalmos diu noctuque decantavit.

continued seventy years; having two choirs of virgins and one of monks attending him, with whom he sang psalms and hymns alternately night and day. Beside these, we scarce meet with any other of this way in ancient history. An argument, that it was not of any great esteem, when it was first invented in the primitive Church.

Of secular monks.

6. Beside these sorts of monks, who renounced the world, and lived in perpetual celibacy, Spalatensis[26] thinks there was another order, which did neither of those things, but lived in a married state and enjoyed their own property and possessions, only they exercised themselves in acts of austerity and religion, as the primitive ascetics were used to do, of whom we have given an account in the former chapter. Thus much is certain from the express words of Athanasius and St. Austin, that in their time some went by the name of *monks*, who were married men, and possessed of estates. For Athanasius, writing to Dracontius, a monk, to persuade him to accept of a bishopric, to which he was averse, because he thought it would not consist with his ascetic way of living, uses this argument to him: 'You may still,' says he[27], 'after you are made a bishop, hunger and thirst with Paul, and abstain from wine with Timothy, and fast frequently, as St. Paul was wont to do. Let not therefore your counsellors throw such objections in your way. For we know many bishops that fast, and monks that eat and drink; we know bishops that drink no wine, and monks that do; we know bishops that work miracles, and

[26] De Republic. part. 1. lib. 2. c. 11. n. 22. (p. 335 b. 5.) Non deerant monachi, etiam uxorati in ecclesia catholica: et non apostatæ, sed veri monachi....Erat fortasse genus monachorum laicorum et conjugatorum, et cum proprietate rerum, sed vitæ asperioris et religiosæ in pœnitentia: sed hi non erant Cœnobitæ.

[27] Ep. ad Dracont. t. 1. p. 958. (t. 1. part. 1. p. 211 a. n. 9.) *Ἔξεστι γὰρ καὶ ἐπίσκοπον ὄντα σε πεινᾶν, καὶ διψᾶν, ὡς ὁ Παῦλος. Δύνασαι μὴ πιεῖν οἶνον, ὡς ὁ Τιμόθεος· καὶ νηστεύειν καὶ αὐτὸς συνεχῶς, ὡς ὁ Παῦλος ἐποίει· ἵνα, κατ' ἐκεῖνον οὕτως νηστεύων, χορτάζῃς ἄλλους ἐν τοῖς λόγοις, καὶ διψῶν ἐν τῷ μὴ πιεῖν, ποτίζῃς ἄλλους διδάσκων. Μὴ οὖν ταῦτα προβαλλέτωσαν οἱ συμβουλεύοντές σοι· οἴδαμεν γὰρ καὶ ἐπισκόπους νηστεύοντας καὶ μοναχοὺς ἐσθίοντας· οἴδαμεν δὲ ἐπισκόπους μὴ πίνοντας οἶνον, μοναχοὺς δὲ πίνοντας· οἴδαμεν καὶ σημεῖα ποιοῦντας ἐπισκόπους, μοναχοὺς δὲ μὴ ποιοῦντας. Πολλοὶ δὲ τῶν ἐπισκόπων οὐδὲ γεγαμήκασι, μοναχοὶ δὲ πατέρες τέκνον [τέκνων] γεγόνασιν· ὥσπερ καὶ ἐπισκόπους πατέρας τέκνων καὶ μοναχοὺς ἐξ ὁλοκλήρου γένους τυγχάνοντας. Καὶ πάλιν οἴδαμεν κληρικοὺς πεινῶντας, μοναχοὺς δὲ νηστεύοντας· ἔξεστι γὰρ καὶ οὕτως, καὶ ἐκείνως οὐ κεκώλυται· ἀλλὰ πανταχοῦ τις ἀγωνιζέσθω· καὶ γὰρ ὁ στέφανος οὐ κατὰ τόπον, ἀλλὰ κατὰ τὴν πρᾶξιν ἀποδίδοται.*

monks that work none. Many bishops are not married; and on the other hand many monks are fathers of children. You may also find bishops that are fathers of children, and monks that are not so; clergy that eat and drink, and monks that fast. For these things are at liberty, and no prohibition laid upon them. Every one exercises himself as he pleases; for it is not men's stations, but their actions, for which they shall be crowned.' From these words of Athanasius it seems plain, that as yet the rules of the monastic life obliged no man to renounce either his possessions or a married state, but he might use both, if he pleased, without any ecclesiastical censure. And though the case was a little altered with some monks before St. Austin's time, yet others reserved to themselves their ancient privilege; for St. Austin, writing against the heretics who called themselves Apostolics, says[28], 'they arrogantly assumed to themselves that name, because they rejected all from their communion, who had either wives or estates, of which sort the Catholic Church had many, both monks and clergy.' So that at least some monks were still at liberty to enjoy both a conjugal state and possessions of their own, without any impeachment of apostasy or breach of vow in the Catholic Church. For which reason I have given this sort of monks the distinguishing name of seculars.

All monks originally no more than laymen.

7. Though, to avoid ambiguity in terms, it must be observed, that all monks at first might properly be called *seculars*, as that name is opposed to *ecclesiastics*. For monks in their first original were generally laymen, nor could they well be otherwise, by their proper constitution and the general laws of the Catholic Church. For the first monks were generally hermits, that is, persons confined by their own rules to some desert or wilderness, where solitude was thought to help forward the exercises of contemplation and repentance, and they had none to take care of but their own souls. But the clerical life required men to live in towns and cities, where crowds of people afforded them proper occasions to exercise the offices of the clerical function; and it was against the rules of the Catholic

[28] De Hæres. c.40. (t.8. p.11 e.) Apostolici, qui se isto nomine arrogantissime vocaverunt, eo quod in suam communionem non reciperent utentes conjugibus, et res proprias possidentes; quales habet Catholica [ecclesia] et monachos et clericos plurimos.

Church, as I have shewed in another place[29], for any clerk to be ordained without a proper cure or title in some church, where he might do the duties of his function. For this reason it was a thing impracticable in itself, as well as against the rules of the two different states of the clerical and monastic life, that the generality of monks should be clergymen; which, to the confusion of ancient rules and discipline, has been the unwarrantable practice of later ages, especially since the time of Clement V, anno 1311, who obliged[30] all monks to take holy orders, that they might say private mass for the honour of God, as he esteemed it; which was in truth a manifest trampling on the laws of the ancient Church, and an affront to her practice. For anciently monks were put into the same class with laymen, as they generally were, and considered only as such. St. Jerom gives us at once both the rule and the practice, when he says[31], 'the office of a monk is not to teach, but to mourn;' and 'that the cause of the monks and clergy is very different from each other; the clergy are those that feed the sheep, but the monks, among whom he reckons himself, are those that are fed.' It is true, St. Jerom was not only a monk, but a presbyter likewise; but being ordained against his will, and resolving to continue a monk, he refused to officiate as a presbyter. Which shews, that he had no great opinion of joining the monk and the clerk together, much less of making all monks in general become clerks according to the modern practice. The Council of Chalcedon once or twice very expressly distinguishes the monks from the clergy, and reckons them with the laymen. In one canon[32] it says, 'Whoever are instrumental in getting others ordained or promoted to any office in the Church for money or filthy lucre; such trans-

[29] B. 4. ch. 6. s. 2. v. 2. p. 76.

[30] Vid. Clementin. l. 3. t. 10. c. 1. (ap. Corp. Jur. Canon. t. 3. p. 211. 50.) Ad ampliationem autem cultus divini statuimus, quod monachi quilibet ad monitionem abbatis se faciant ad omnes ordines sacros, excusatione cessante legitima, promoveri.

[31] Ep. 53. ad Ripar. [corrige, Lib. cont. Vigilant. c. 16.] (t. 2. p. 401 a.) Monachus autem non doctoris, sed plangentis officium habet.—Ep. 1. [al. 14.] ad Heliodor. (t. 1. p. 33 d.)... Alia monachorum est causa, alia clericorum; clerici pascunt oves, ego pascor.

[32] C. 2. (t. 4. p. 755 c.) Εἰ δέ τις καὶ μεσιτεύων φανείη τοῖς οὕτως αἰσχροῖς καὶ ἀθεμίτοις λήμμασιν, καὶ οὗτος, εἰ μὲν κληρικὸς εἴη, τοῦ οἰκείου ἐκπιπτέτω βαθμοῦ· εἰ δὲ λαϊκὸς, ἢ μονάζων, ἀναθεματιζέσθω.

actors, if they be clergymen, shall be deposed; if laymen or monks, excommunicated.' And another canon[33] forbids monks to meddle with ecclesiastical affairs. Both which canons plainly imply, that the monks then were not of the clergy, but merely laymen. Pope Leo[34] at the same time speaks of them as such, telling Maximus, bishop of Antioch, 'that he should not permit monks or laymen, however learned, to usurp the power of teaching or preaching, but only the priests of the Lord.' And therefore, when any monk was to be ordained presbyter or bishop, he was obliged first to go through all other orders of the Church, as it was then customary for laymen to do, before the superior orders were conferred upon them. This we learn from a Decree of Pope Gelasius[35], which orders, 'that, if a monk of good life and learning was minded to be ordained a priest, he should first be made a reader, or a notary, or a defensor, and after three months an acolythist, after six months a subdeacon, after nine months a deacon, and at the year's end a presbyter.' So that the difference between a monk and any other layman was only this, that a monk by virtue of his education in a school of learning and good discipline, such as monasteries then were, was supposed to be a better proficient than other laymen, and therefore allowed the benefit of a quicker passage through the inferior orders than other candidates of the priesthood. All which shews, that anciently the generality of monks were only laymen, or at most but in a middle state betwixt common laymen and the clergy; as the learned men of the Romish Church, Habertus[36],

[33] C. 4. (ibid. p. 758 b.) Ἔδοξε ...τοὺς καθ' ἑκάστην πόλιν καὶ χώραν μονάζοντας ... μήτε ἐκκλησιαστικοῖς, μήτε βιωτικοῖς παρενοχλεῖν πράγμασιν, ἢ ἐπικοινωνεῖν, καταλιμπάνοντας τὰ ἴδια μοναστήρια, κ. τ. λ.

[34] Ep. 60. al. 62. (CC. ibid. p. 888 b.) Illud quoque.... convenit præcavere, ut, præter eos qui sunt Domini sacerdotes, nullus sibi jus docendi et prædicandi audeat vindicare, sive sit ille monachus, sive laicus, qui alicujus scientiæ nomine glorietur.

[35] Ep. 9. ad Episc. Lucan. c. 3. (CC. ibid. p. 1188 c.) Si quis de religioso proposito, et disciplinis monasterialibus eruditus, ad clericale munus accedat...continuo lector, vel notarius, aut certe defensor effectus, post tres menses existat acolythus...sexto mense subdiaconi nomen accipiat...nono mense diaconus, completoque anno sit presbyter.

[36] Archierat. ad Edict. pro Archimandr. n. 1. (p. 601.)... Monachi quales primo erant ævo extra ordinem constitui, ad hierarchiam imperantem non pertinent: sed medio quodam inter ordinem et plebem statu.

Lindanus[37], and others, scruple not to confess, though they are willing to defend the modern practice. Nay even Gratian[38] himself, who is most concerned for the Moderns, owns it to be plain from ecclesiastical history, that to the time of Popes Siricius and Zosimus the ancient monks were only simple monks and not of the clergy.

In what cases the clerical and monastic life might be conjoined.

8. But though monks did not anciently aspire to be ordained, nor was it consistent with the rules of the Church, that all of them should be so; yet in several cases the clerical and monastic life was in some measure capable of being conjoined. As, first, when a monastery happened to be at so great a distance from its proper episcopal or parochial church, that the monks could not ordinarily resort thither for divine service; which was the case of the monasteries in Egypt and other parts of the East, where the monks lived in great deserts, sequestered from the rest of mankind; then some one or more of the monks were ordained for the performance of divine offices among them. Thus Cassian[39] often speaks of the churches of the monasteries of Scethis, or Scythia, in the deserts of Egypt, one of which had two presbyters, Paphnutius and Daniel; and three others, single presbyters residing, and performing divine offices in them. These were the abbots, or fathers of the monasteries, and presbyters of the churches together; whom

[37] Panopl. l. 4. c. 75. (p. 560.) Quanquam non nescimus fuisse olim quosdam Christiani hujus gregis ductores, qui a perfectioris sanctimoniæ studio dicebantur vel therapeutæ, vel monachi, vel etiam aliis forte nominibus. Qui omnes, sicuti erant ordinis laici, ita una cum reliquis templi choro, quem dicimus, erant exclusi.

[38] Caus. 16. quæst. 1. post c. 39. (t. 1. p. 1108. 23.) Monachos vero, usque ad tempus Eusebii, Zosimi, et Siricii, monachos simpliciter et non clericos fuisse, ecclesiastica testatur historia.

[39] Collat. 3. c. 1. (p. 254.) In illo choro sanctorum, qui velut astra purissima in nocte mundi istius refulgebant, vidimus Sanctum Pafnutium, vice luminaris magni, claritate scientiæ coruscantem. Hic namque presbyter congregationis nostræ, id est, illius quæ in eremo Scythi [al. Scythiæ] morabatur, fuit; in qua ita usque ad extremam duravit ætatem, ut nunquam e cella, quam junior cœperat habitare, quæque ab ecclesia millibus quinque distabat, saltem ad viciniora migraverit, &c.——Collat. iv. c. i. (p. 267.) Inter cæteros Christianæ philosophiæ viros, abbatem quoque vidimus Danielem, æqualem quidem in omni virtutum genere his, qui in eremo Scythi [al. Scythiæ] commanebant, sed peculiarius gratia humilitatis ornatum; qui merito puritatis ac mansuetudinis suæ a beato Pafnutio, solitudinis ejusdem presbytero, et quidem cum multis junior esset ætate, ad diaconii est prælatus officium [al. in diaconii præelectus est gradu.] In tantum enim beatus Pafnutius virtutibus ipsius adgaudebat, ut quem vitæ meritis sibi et gratia parem noverat, coæquare sibi

Cassian[40] mentions with this remarkable circumstance: 'that all of them, except Paphnutius, being overrun with the heresy of the Anthropomorphites; when Theophilus, bishop of Alexandria, sent one of his paschal letters among them, to give notice of Easter according to custom, and therein made some sharp reflections on that absurd heresy; they would not so much as suffer his epistle to be read in their churches.' Sozomen likewise[41] tells us, that Prines, the monk, whom the Arians made use of as their instrument to conceal Arsenius, while they accused Athanasius of his murder, was a presbyter of one of the monasteries in the deserts of Thebais. Where it seems the monasteries were vastly great; for Cassian[42] assures us that one

etiam sacerdotii ordine festinaret, siquidem nequaquam ferens in inferiore eum ministerio diutius immorari, optansque sibimet successorem dignissimum providere, superstes eum presbyterii [al. presbyteralis gradus] honore provexit.

[40] Ibid. 10. c. 2. (p. 383.). Intra Ægypti regionem mos iste antiqua traditione servatur, ut peracto Epiphaniorum die, quem provinciæ illius sacerdotes, vel dominici baptismi, vel secundum carnem nativitatis esse definiunt, et idcirco utriusque sacramenti solemnitatem non bifarie, ut in occiduis provinciis, sed sub una diei hujus [al. unius] festivitate concelebrant, epistolæ pontificis Alexandrini per universas dirigantur Ægypti ecclesias, quibus initium Quadragesimæ et dies Paschæ non solum per civitates omnes, sed etiam per universa monasteria designentur. Secundum hunc igitur morem post dies admodum paucos, quam superior cum abbate Isaaci fuerat agitata Collatio Theophili, prædictæ urbis episcopi, solemnes epistolæ commearunt, quibus, cum denuntiatione paschali, contra ineptam quoque Anthropomorphitarum hæresin longa disputatione disseruit, eamque copioso sermone destruxit. Quod tanta est amaritudine ab universo propemodum genere monachorum, qui per totam provinciam Ægypti morabantur, pro simplicitatis errore susceptum, ut e contrario memoratum pontificem, velut hæresi gravissima depravatum, pars maxima seniorum ab universo fraternitatis corpore decerneret detestandum: quod scilicet impugnare Scripturæ Sanctæ sententiam videretur, negans Omnipotentem Deum humanæ figuræ compositione formatum, cum ad ejus imaginem creatum Adam Scriptura manifestissime testaretur. Denique ab his, qui erant in eremo Scythi [al. Scythiæ] commorantes, quique perfectione ac scientia omnibus, qui erant in Ægypti monasteriis, præeminebant, ita est hæc epistola refutata, ut præter abbatem Pafnutium, nostræ congregationis presbyterum, nullus eam cæterorum presbyterorum, qui in eadem eremo aliis tribus ecclesiis præsidebant, nec legi quidem aut recitari in suis conventibus prorsus admitterent.

[41] Ibid. 2. c. 23. (v. 2. p. 74. 17.) *Τὸν μὲν Ἀρσένιον ἐπιμελῶς ζητήσαντες εὗρον, καὶ φιλοφρονησάμενοι, καὶ πᾶσαν εὔνοιαν καὶ ἀσφάλειαν παρέξειν αὐτῷ ὑποσχόμενοι, ἄγουσι λάθρα πρός τινα τῶν αὐτοῖς συνηθων καὶ τὰ αὐτὰ σπουδαζόντων· Πρίνης ὄνομα αὐτῷ ἦν, πρεσβύτερος μοναστηρίου· ἐνταῦθα τέ τὸν Ἀρσένιον κρύψαντες, σπουδῇ περιήεσαν κατὰ τὰς ἀγορὰς καὶ τοὺς συλλόγους τῶν ἐν τέλει, λογοποιοῦντες τοῦτον πεφονεῦσθαι παρὰ Ἀθανασίου.*

[42] De Instit. Renunt. l. 4. c. 1. (p. 48.) .... In Thebaide est cœnobium, quanto numero populosius cunctis, tanto conversationis rigore districtius: siquidem in eo plusquam quinque millia fratrum sub uno abbate reguntur, &c.

of them had no less than five thousand monks in it; and it cannot be thought strange, that such monasteries, in remote deserts, should have their proper churches, and presbyters to officiate in them. But it was not only in the deserts that monasteries were allowed presbyters in them, but in some places the city-monasteries, as soon as they began to get footing there, had the same privilege likewise. For Eutyches, the heretic, was not only archimandrite, but presbyter also of his monastery at Constantinople, as Liberatus[43] and other ancient writers style him. And that this was no unusual thing, appears from hence, that both the Civil and the Canon Law allow the practice. Justinian, in one of his Novels,[44] has a proviso both for such monasteries as had churches of their own, and such as had not. For those, which had none of their own, it is ordered, 'that the monks should repair to the parish-church with their abbot, and after divine service immediately return to their monastery again; but such monasteries as had churches in them might have four or five of their own body ordained presbyters or deacons or of the inferior orders, as there was occasion.' And before this the Council of Chalcedon[45] speaks of churches in monasteries and clergy belonging to them; allowing a deputation to any such church to be a sufficient title to qualify a man for holy orders. So that in these circumstances there is no question to be made but that the clerical and monastic life were often joined together.

Another case, in which the same thing was practised, was

[43] Breviar. c. 11. (CC. t. 5. p. 754 d.) His temporibus Eutyches quidam, presbyter et archimandrita, præsidens Constantinopoli celeberrimo monasterio, urgente Satana, prædicabat Dominum nostrum Jesum Christum consubstantialem nobis non esse secundum carnem, sed de cœlo corpus habuisse.

[44] Novel. 133. c. 2. (t. 5. p. 591.) Deinde vel si ulla ecclesia in monasterio sit, neque sic occasione ecclesiarum ingredi et deambulationes licite illic facere, et confabulari cum quibus non convenit: sed venire quidem tempore sacri ministerii cum abbate, suisque prioribus, et senibus, sacrificioque completo, omnes monachi rursus ad cœnobium revertantur, ibique sedeant ..... Quatuor autem vel quinque seniores ex ipso monasterio esse in constituta ecclesia, quibus jam omnis exercitatio est expleta in continentia, et qui ordinationem habere meruerunt in clero presbyterorum forsan, aut diaconorum, aut deinceps habentium schema.

[45] C. 6. (t. 4. p. 758 d.) Μηδένα δὲ ἀπολελυμένως χειροτονεῖσθαι, μήτε πρεσβύτερον μήτε διάκονον μήτε ὅλως τινὰ τῶν ἐν ἐκκλησιαστικῷ τάγματι, εἰ μὴ ἰδικῶς ἐν ἐκκλησίᾳ πόλεως, ἢ κώμης, ἢ μαρτυρίῳ, ἢ μοναστηρίῳ, ὁ χειροτονούμενος ἐπικηρύττοιτο. —— C. 8. (ibid. p. 759 a.) Οἱ κληρικοὶ τῶν πτωχείων καὶ μοναστηρίων, κ. τ. λ.

when monks were taken out of the monasteries by the bishops, and ordained for the service of the Church. Which thing was frequently done, and not only allowed, but encouraged both by the imperial and ecclesiastical laws. When once monasteries were become schools of learning and pious education, they were thought the properest nurseries for the Church. Therefore Arcadius[46] made it an instruction to the bishops, 'that if at any time they needed to augment their clergy, they should do it out of the monks.' Gothofred, in his learned Observations on this law, has abundantly shewed the Church's practice from the testimonies of Athanasius[47], St. Jerom[48], St. Austin[49], Epiphanius[50], Palladius[51], St. Basil[52], Marcellinus's Chronicon, and the Code of the African Church[53]. To which may be

[46] Vid. Cod. Theod. lib. 16. tit. 2. de Episc. leg. 32. (t. 6. p. 68.) Si quos forte episcopi deesse sibi clericos arbitrantur, ex monachorum numero rectius ordinabunt.

[47] Ep. ad Dracont. (t. 1. part 1. p. 210 c. n. 7.) Οὐ γὰρ σὺ μόνος ἐκ μοναχῶν κατεστάθης, οὐδὲ σὺ μόνος προέστης μοναστηρίου, ἢ μόνος ὑπὸ μοναχῶν ἠγαπήθης· ἀλλ' οἶδας, ὅτι καὶ Σεραπίων μοναχός ἐστι, καὶ τόσων μοναχῶν προέστη, κ. τ. λ.

[48] Ep. 3. [al. 60.] ad Heliodor. (t. 1. p. 335 d.) In uno atque eodem et imitabatur monachum, et episcopum venerabatur.—Ep. 4. [al. 125.] ad Rustic. (ibid. p. 938 d.) Ita age et vive in monasterio, ut clericus esse mereari. ... Quum ad perfectam ætatem veneris, si tamen vita comes fuerit, et te vel populus vel pontifex civitatis in clericum [leg. clerum] elegerint, agito quæ clerici sunt.

[49] Ep. 67. [al. 22.] (t. 2. p. 28 a.) ... Ut nemo dignus non modo ecclesiastico ministerio, sed ipsa etiam sacramentorum communione videatur, &c.——Ep. 76. [al. 60.] (ibid. p. 147 f. et p. 148 a.) Et ipsis enim facilis lapsus, et ordini clericorum fit indignissima injuria, si desertores monasteriorum ad militiam clericatus eligantur, cum ex his, qui in monasterio permanent, non tamen nisi probatiores atque meliores in clerum assumere solemus; &c.—— Ep. 81. [al. 48.] (ibid. p. 113 f.) Nos autem fratres exhortamur in Domino, ut propositum vestrum custodiatis, et usque in finem perseveretis: ac si quam operam vestram mater ecclesia desideraverit, nec elatione avida suscipiatis, nec blandiente desidia respuatis, sed miti corde obtemperetis Deo, &c.

[50] Expos. Fid. n. 21. (t. 1. p. 1103 d.) Στεφάνη δὲ τούτων πάντων, ἡ μήτηρ, ὡς εἰπεῖν, καὶ γενήτρια, ἡ ἁγία ἱερωσύνη, ἐκ μὲν παρθένων τὸ πλεῖστον ὁρμωμένη· εἰ δὲ οὐκ ἐκ παρθένων, ἐκ μοναζόντων· εἰ δὲ μὴ εἶεν ἱκανοὶ εἰς ὑπηρεσίαν ἀπὸ μοναζόντων, ἐξ ἐγκρατευομένων τῶν ἰδίων γυναικῶν, ἢ χηρευσάντων ἀπὸ μονογαμίας.

[51] Hist. Lausiac. c. 22. (Bibl. Patr. Gr. Lat. t. 2. p. 936 b. 8.) Τελευτᾷ δὲ οὗτος [Μωϋσῆς μοναχὸς] ἐτῶν ἑβδομήκοντα πέντε ἐν τῇ Σκήτει· γενόμενος πρεσβύτερος, καταλιπὼν μαθητὰς ἑβδομήκοντα.

[52] Ep. 403. [al. 218.] ad Amphiloch. (t. 3. part. 2. p. 480 c.) Εἰ δὲ μέλλει τις ἀπιέναι, ἐπιζητησάτω ἐν Κορυδάλοις Ἀλέξανδρον ἀπὸ μοναζόντων ἐπίσκοπον.

[53] C. 80. al. 83. (CC. t. 2. p. 1098 a.) Ὁμοίως ἤρεσεν, ἵνα, ἐάν τις ἀπὸ ἀλλοτρίου μοναστηρίου ὑποδέξηταί τινα, καὶ πρὸς κλήρωσιν προσαγαγεῖν ἐθελήσοι, ἢ τοῦ ἰδίου μοναστηρίου ἡγούμενον καταστήσοι, ὁ τοῦτο ποιῶν ἐπίσκοπος, ἀπὸ τῆς τῶν λοιπῶν κοινωνίας χωριζόμενος, τῇ τοῦ ἰδίου λαοῦ κοινωνίᾳ ἀρκεσθῇ μόνῃ· ἐκεῖνος δὲ, μηδὲ κληρικὸς, μηδὲ ἡγούμενος ἐπιμείνῃ.

added the Letters of Siricius, Innocent, and Gelasius, alleged by Gratian[54], and the Councils of Agde[55] and Lerida[56], which allow a bishop to take any monk out of a monastery with the consent and approbation of the abbot, and ordain him for the service of the Church. And in this case they usually continued their ancient austerities and ascetic way of living, and so joined the clerical and monastic life together. Upon which account both these and the former sort were by the Greeks styled *ἱερομοναχοὶ, clergy-monks,* to distinguish them from such as were only laymen.

It happened sometimes that a bishop and all his clergy chose an ascetic way of living, by a voluntary renunciation of all property, and enjoying all things in common, in imitation of the first Church under the Apostles. St. Ambrose[57] seems to say, that Eusebius Vercellensis was the first that brought in this way of living into the western Church. For before his time the monastic life was not known in cities; but he taught his clergy to live in the city after the rules and institution of monks in the wilderness. Which must be understood chiefly, I conceive, of their austerities, and renouncing their property, and having all things in common, as the other had. St. Austin set up the same way of living among the clergy of Hippo, as we learn from his own words, who says[58] 'he made the bishop's

[54] Causs. 16. quæst. 1. c. 20. (t. 1. p. 1099. 22.) Faciat autem Deus, ut tales sint hi, qui vel a nobis in isto habitu nutriuntur, vel in monasteriis crescunt, ut provecta ætate et vita probata, non ad litigiorum officia, sed ad sacerdotium valeant promoveri.—Cap. 22. (ibid. 69.) Si monachus ad clericatum promoveatur, beneficia ei pleniter et annonæ et decimæ donentur, &c.—C. 28. (ibid. p. 1102. 40.) Si quis monachus fuerit, qui venerabilis vitæ merito sacerdotio dignus videatur, et abbas, sub cujus imperio regi Christo militat, illum fieri presbyterum petierit, ab episcopo debet eligi, et in loco quo judicaverit ordinari; omnia quæ ad sacerdotis officium pertinent, vel populi vel episcopi electione provide ac juste acturus.

[55] C. 27. (t. 4. p. 1387 e.) Monachi etiam vagantes ad officium clericatus, nisi eis testimonium abbas suus dederit, nec in civitatibus nec in parœciis ordinentur.

[56] C. 3. (ibid. p. 1611 d.) De monachis vero id observari placuit, quod Synodus Agathensis vel Aurelianensis noscitur decrevisse: hoc tantummodo adjiciendum, ut pro ecclesiæ utilitate, quos episcopus probaverit in clericatus officio, cum abbatis voluntate debeant ordinari.

[57] Ep. 82. [al. 63.] ad Eccles. Vercell. p. 254. (t. 2. p. 1038 a. n. 66.) Hæc enim primus in Occidentis partibus diversa inter se Eusebius sanctæ memoriæ conjunxit, ut et in civitate positus instituta monachorum teneret, et ecclesiam regeret jejunii sobrietate.

[58] Serm. 49. de Divers. t. 10. p. 519 [al. Serm. 355.] (t. 5. p. 1381 b.) Et ideo volui habere in ista domo episcopii [leg. episcopi] mecum [al.

house a monastery of clergymen, where it was against the rule for any man to enjoy any property of his own, but they had all things in common.' Which is also noted by Possidius in his Life[59], 'that his clergy lived with him in the same house, and ate at the same table, and were fed and clothed at a common expense.' And so far as this was an imitation of the Cœnobites' way of living, and having all things common, it might be called a monastic as well as clerical life, as Possidius and St. Austin call it. But as yet there was no monastery in the world, where all the monks were ordained only to say private mass, without being fixed to any certain cure, where they might perform the several offices of the clerical function. The monastery of St. Austin consisted only of such as had public offices and business in the Church, and were not men confined to a cloister.

The original of canons regular.

9. Therefore the hermits of St. Austin, and many other modern orders which assume his name, do but falsely pretend to derive their original from him; who, it is certain, never was a hermit himself, nor wrote any rules for them, though a great many sermons are fathered on him as preached to the hermits in the wilderness. They, who count the rise of canons regular from him, as Duarenus[60] and others, have something more of probability on their side; because, as I have shewed, the clergy of Hippo were under some of the exercises of a monastic life, which made them a sort of canons regular. And yet Onuphrius[61] and Hospinian[62], who have inquired very nicely into

meum] monasterium clericorum. Ecce quomodo vivimus. Nulli licet in societate nostra habere aliquid proprium: &c.

[59] C. 25. See before, b. 3. ch. 1. s. 4. v. 1. p. 306. n. 25.

[60] De Minist. et Benefic. l. 1. c. 21. (fol. 24. vers.) Itaque dicebantur non simpliciter, ut nunc, canonici, sed *regulares*, ab illo peculiari instituto ac *regula*, quam amplectebantur: et hoc modo discrimen inter eos designabatur et aliarum ecclesiarum canonicos, qui hujusmodi se votis non alligaverant; idque supra a nobis ostensum est. Hæc secta, cujus author Augustinus perhibetur, quum Hipponensis episcopus esset, late Christianorum orbem pervagata est, adeo ut eorum cœnobia hodie in quibus locis monachorum nomen deletum non est, nusquam non reperiantur.

[61] Annot. in Platin. Vit. Gelas. p. 62. (ap. Platin. Vit. Pontific. cum Onuphr. Continuat. et Opuscul. Lovan. 1572. p. 53.) Gelasius .... canonicos, ut vocant, regularis ordinis Sancti Augustini Laterani primus collocavit, qui ibidem usque ad Bonifacium VIII., à quo expulsi sunt, permanserunt. *Ex Archivis Basilicæ Lateranensis.*

[62] De Orig. Monachat. l. 3. c. 6. p. 72. (fol. 55. vers. n. 4.) Onuphrius Panvinus in suis ad Platinam Annotationibus, indicat ex Archivis Ecclesiæ Lateranensis, Gelasium I. Papam, circa annum 495, canonicos regulares ordinis Sancti Augustini

these matters, make Gelasius the first founder of them under that name in the Lateran Church, where they continued to the time of Boniface VIII, who expelled them thence. How soon the name or order came into other Churches, Hospinian will inform the curious reader.

10. About the beginning of the fifth century, or, as Baronius[63] thinks, toward the middle of it, at Constantinople, under Gennadius the patriarch, one Alexander set up an order of monks, whom the writers of that and the following ages commonly style Ἀκοιμηταὶ, that is, *Watchers;* the reason of which name is taken from their manner of performing divine offices day and night without intermission: for they divided themselves into three classes, and so one succeeded another at a stated hour, and by that means continued a perpetual course of divine service without any interval, as well by night as by day; whence they had the name of *Watchers* given them. The piety of this order procured them great esteem and veneration, and many monasteries were builded for their use at Constantinople. Among others, one *Studius*, a nobleman of Rome, and a man of consular dignity, renounced the world and became one of their order; erecting a famous monastery for them himself, which, from the founder, was called *Studium*[64], and the monks of it, *Studitæ*. And this, perhaps, is the first time we meet with any monks that took their denomination from any founder. But these monks in a little time sunk in their credit, because they were many times found to be favourers of the heresy of Nestorius, for which they are frequently reflected on by ecclesiastical writers[65].

Of the monks called *Acœmetæ*, or *Watchers.*

Laterani primum collocasse. Crediderim ergo hunc Gelasium horum canonicorum esse auctorem, et ad hoc exemplum mox alibi quoque in majoribus ecclesiis eos institutos esse: de quo tamen alii judicent. Fuit certe hic Gelasius idololatriæ egregius architectus, et cæremoniarum cumulator, ut in Vita ejus indicatur.

[63] An. 459. ex Act. Marcelli, ap. Sur. Decembr. 29. c. 7. (t. 6. p. 250 d.) Quod spectat ad Acœmetarum monachorum institutum, non fuit ejus Marcellus auctor aut propagator: verum Alexander abbas, ejusdemque Marcelli institutor, religiosum illum cultum invenit, prout ejusdem Marcelli Acta testantur.

[64] Vid. Niceph. Hist. l. 15. c. 23. (t. 2. p. 623 d. 8.) Τούτου [Γενναδίου] ἐπὶ τὸν θρόνον ὄντος, καὶ Στουδιός τις περιφανὴς ἀνὴρ, ἐκ Ῥώμης ἥκων, τὸν τοῦ προδρόμου ἀνεγείρει νεὼν, μοναχοὺς ἐκ τῆς τῶν Ἀκοιμήτων μονῆς ἐκεῖσε ἐγκαταστήσας· ἣν Μάρκελλος ὁ θειότατος ἤγειρεν, ἀσίγητον τὸν ὕμνον παρασκευάσας Θεῷ ἀναπέμπεσθαι, εἰς τρία μέρη τὴν ποίμνην διανειμάμενος.

[65] Ibid. (p. 624. a. 8.) Τότε καὶ Τιμοκλῆς τε καὶ Ἄνθιμος οἱ τῶν Τροπαρίων ἤκμαζον ποιηταὶ, κατὰ φρατρίας διῃρημένοι. ἀλλ', ὅσοι μὲν τοῖς δόξασι

'those led ...sol, or ...asers.

11. In the regions of Syria and Mesopotamia, Sozomen[66] takes notice of another sort of monks, who, from their peculiar way of living, were commonly called Βοσκοὶ, *the Grazers*. For they lived after the same manner as flocks and herds upon the mountains, never dwelling in any house, nor eating any bread or flesh, nor drinking wine; but continuing instantly in the worship of God, in prayers and hymns, according to the custom of the Church, till eating time was come; and then every man went with his knife in his hand to provide himself food of the herbs of the field, which was their only diet and constant way of living.

the Be-dictines, d *Gyro-gi*, in ...ly.

12. I take no notice here of those called by some the monks of St. Basil and St. Jerom; for it is certain those fathers never set up any distinct orders of their own, though both of them were promoters of the monastic life in general. The Rule, which goes under the name of St. Jerom, is known to be a forgery of some later writer; and the Ascetics, commonly ascribed to St. Basil, are by some learned men[67] rather thought to be the

τῇ ἐκ Χαλκηδόνι συνόδῳ προσέκειντο, παρὰ τῷ Ἄνθιμῳ συνήγοντο· ὃς πρῶτος καὶ τὰς παννυχίδας ἐπενόησε γίνεσθαι· ὅσοι δ' ἐχθρωδῶς ἐκείνῳ ἐφέροντο, μᾶλλον προσέκειντο Τιμοκλεῖ.

[66] L. 6. c. 33. (v. 2. p. 267. 31.) Τούτους δὲ καὶ Βύσκους ἀπεκάλουν, ἔναγχος τῆς τοιαύτης φιλοσοφίας ἄρξαντας. Ὀνομάζουσι δὲ ὧδε αὐτοὺς, καθότι οὔτε οἰκήματα ἔχουσιν, οὔτε ἄρτον, οὔτε ὄψον ἐσθίουσιν, οὔτε οἶνον πίνουσιν· ἐν δὲ τοῖς ὄρεσι διατρίβοντες, ἀεὶ τὸν Θεὸν εὐλογοῦσιν, ἐν εὐχαῖς καὶ ὕμνοις κατὰ θεσμὸν τῆς ἐκκλησίας· τροφῆς δὲ ἡνίκα γένηται καιρὸς, καθάπερ νεμόμενοι, ἅρπην ἔχων ἕκαστος, ἀνὰ τὸ ὄρος περιϊόντες τὰς βοτάνας σιτίζονται.—Evagr. l. 1. c. 21. (v. 3. p. 277. 22.) Ἐς ἔρημον κεκαυμένην σφᾶς αὐτοὺς ἀφέντες, καὶ μόνα τὰ τῆς φύσεως ἀναγκαῖα περιστείλαντες, ἄνδρές τε καὶ γύναια, τὸ λοιπὸν σῶμα γυμνὸν κρυμοῖς τε ἐξαισίοις ἀέρων τε πυρακτώσεσιν ἐπιτρέπουσιν, ἐπίσης θάλπους τε καὶ ψύχους περιορῶντες· καὶ τὰς μὲν τῶν ἀνθρώπων τροφὰς τέλεον ἀποσείονται· νέμονται δὲ τὴν γῆν, (Βόσκους καλοῦσι,) μόνον τὸ ζῆν ἐντεῦθεν πορίζόμενοι.—[Conf. Mosch. Prat. Spirit. c. 19. ap. Bibl. Patr. Gr. Lat. (t. 2. Paris. 1624.) Ed.]

[67] Hospinian. de Orig. Monachat. p. 69. (p. 53. im.).. A multis dubitatur, num libri illi de Virginitate et Monastica Vita scripti, qui *Ascetici* dicuntur, Basilii γνησιοι sint; cum pleraque in iis horridiora sint, quam in reliquis ejus scriptis. Deinde etiam in catalogo scriptorum Basilii, in Oratione Nazianzeni, *Ascetica* illa non recensentur: quæ certe vir ille, qui ex professo laudationem Basilii instituerat, omissurus minime fuisset. Potest igitur esse alius quidam Basilius, et hoc quidem recentior. Sozomenus autem, l. 3. c. 14., affirmat, visum nonnullis suo tempore *Asceticorum* illorum authorem fuisse Eustathium, illum Sebastiæ Armeniæ episcopum, sed Macedonianum hæreticum, qui monasticæ author Armeniis exstiterit, &c.—Sozom. l. 3. c. 14. (v. 2. p. 115. 23.) Ὡς καὶ τὴν ἐπιγεγραμμένην Βασιλείου τοῦ Καππαδόκου ἀσκητικὴν βίβλον, ἰσχυρίζεσθαί τινας αὐτοῦ [Εὐσταθίου] γραφὴν εἶναι.—Sutlif. de Monach. Instit. c. 7. (fol. 23. vers.).. Neque enim character dictionis Basilium refert, &c.... Sozomenus denique Regulam hanc Eustathio Sebastiæ episcopo ascribit, &c.

offspring of Eustathius of Sebastia. But admitting them to be his, as most learned men do, they do not argue him the author of any new order, but only a director of those which were already founded. Therefore passing by these, I shall only take notice of two orders more, the Benedictines in Italy, and the Apostolics in Britain.

The Benedictines had their rise from Benedict, a famous Italian monk in the time of Justinian, about the year 530. His first settlement was at Sublaqueum, in the diocese of Tibur in Italy, where he erected twelve monasteries, of twelve monks apiece, in the neighbouring wilderness; one of which, in after-ages, grew so great, that it was not only exempt from episcopal power, against all ancient rules, but, as a modern writer[68] observes, had no less than fourteen villages under its own proper jurisdiction. From this place he removed to Mount Cassin, where he erected another monastery, from whence he propagated his order into other countries with so great success, that, for six hundred years after, the greatest part of the European monks were followers of his rule; and so whatever other names they went by,—Carthusians, Cistercians, Grandimontenses, Præmonstratenses, Cluniacs, &c.,—they were but different branches of the Benedictines, till, about the year 1220, the Dominicans and Franciscans took new rules from their leaders. Hospinian[69] reckons up twenty-three orders that sprang from this one; and observes out of Volateran, that in

[68] Baudrand, Lex. Geograph. voce *Sublaqueum*. (t. 2. p. 220.) Sublaqueum, seu melius Sublacum, oppidum Æquorum in Latio. Hodie dicitur vulgo *Subiaco*, cujus abbatia, quæ nullius est diœcesis, quatuordecim vicos sub se habet, in confinio regni Neapolitani. Sedet in colle, ad fontes Anienis, 36 milliaribus distans a Roma in ortum, et 10 a Prænestе; estque in Campania Romana, sub dominio Summi Pontificis.

[69] De Monachat. l. 4. c. 5. p. 116. (p. 101. im.) Cardinales habuit et Ordo hic, Volaterani ætate, fere 200, archiepiscopos in diversis ecclesiis 1600, episcopos 4000, abbates eruditione et scriptis celebres 15700, canonizatos et sanctorum catalogo insertos 15600.—Ibid. p. 132. (fol. 111. vers.) Militant autem sub hac regula ordines circiter 23. . . . . Ordo Specuensis, Carthusiensis, Cisterciensis, S. Vuilhelmi [S. Gulielmi] Scotorum Montis Olivetensium, album portantium habitum, Cœlestinorum, Sclavorum, Vallis Umbrosæ, Fontis Ebrandi, Humiliatorum sub albo habitu, Grandimontensis, S. Ambrosii, Camaldulensis, Vallis Scholarium, S. Pauli primi Eremitæ, quem alii ad Augustinenses referunt, Cluniacensis, Præmonstratensis, S. Justinæ, Sylvestrinorum, Gilbertinorum, et Ordo de S. Burga vidua: ut Trithemius judicat, (l. 1. c. 3.) de Viris Illustribus Ordinis Benedictinorum. His Polydorus Vergilius, (l. 7. c. 2.) Fremitanos D. Hieronymi annumerat, quos dicit postremo per Martinum V. in familiam Benedicti adscitos fuisse.

his time it was computed that there had been of the order 200 cardinals, 1600 archbishops, 4000 bishops, and 15,700 abbots; by which it is easy to judge of the prodigious increase of this order. I shall not concern myself to give any further account of them, but only observe one thing out of the Rule of Benedict himself,—that he never intended his monks should be called after his own name, or reckoned a new order; much less that so many new orders should be derived from it. For he professes only to write in general for the use of the Cœnobites and Anchorets of the primitive Church, which in his time were the only two standing orders that the Churches of Italy allowed. He says, indeed, there were four sorts of monks in all, *Cœnobitæ*, *Anachoretæ*, *Sarabaitæ*, and *Gyrovagi;* but the two last were only scandals and reproaches to the Church. Of the *Sarabaitæ* he gives much the same account that St. Jerom and Cassian[70] do before him. And the *Gyrovagi* he thus[71] describes: 'That they were a sort of rambling monks, that spent their whole life in running about from one province to another, and getting themselves well entertained for three or four days together at every cell they came at, being arrant slaves to their bellies, and wholly addicted to their pleasures, and in all things worse than the very *Sarabaitæ* themselves.' So that he professes 'to pass over their miserable conversation in silence, and to write only for the instruction and use of the ancient *Cœnobitæ* of the Church.' By which it is plain, that in the time of St. Benedict, the monks had not distinguished themselves into very many different orders allowed in the Western Church.

f the Apolics in ritain and eland.

13. About the year 596, the Benedictines came with Austin the monk into Britain, and so all the monasteries which the Saxons built were for monks of that order. But the ancient Britons had long before this entertained the monastic life. Some[72] say Pelagius first brought it out of the East into Bri-

[70] Vid. s. 4. p. 330. nn. 17 and 18.

[71] De Monachat. ibid. Benedict. Regul. c. 1. (fol. 101. vers.) Quartum vero genus est monachorum, quod nominatur Gyrovagum, qui totâ vitâ suâ per diversas provincias ternis aut quaternis diebus per diversorum cellas hospitantur; semper vagi et nunquam stabiles; propriis voluptatibus et gulæ illecebris servientes, et per omnia deteriores Sarabaitis: de quorum omnium miserrima conversatione melius est silere quam loqui. His ergo omissis, ad Cœnobitarum fortissimum genus disponendum, adjuvante Domino, veniamus.

[72] Hospinian. ut supra, c. 3.

tain: others make him also abbot of the college of Bangor, and speak of 2000 monks under him; but this is justly censured by learned men[73] as a mere fable of modern authors. However, it is certain from Bede that there was a monastery at Bangor (whoever was the first founder of it is not very material to inquire) before Austin and his monks came into England; and here[74] 'was such a number of monks, that the monastery being divided into seven parts, each part had a rector, and no less than three hundred persons in it, all which were wont to live by the labour of their own hands.' Hospinian and Bale give this the name of the Apostolic Order; but whether upon good grounds I cannot say. In one thing it is certain they make a great mistake, in that they confound this monastery of Banochor, or Bangor, with that of Benchor in Ireland; which was another famous monastery, founded by Congellus about the year 520. Out of this monastery sprang many thousand monks, and many other monasteries in Ireland and in other nations also. St. Bernard[75] says, 'Luanus, one of the monks of this congregation, himself alone founded an hundred monasteries.' And Bishop Usher has observed[76] of Brendanus, one of Congellus's first disciples, 'that he presided over three thousand monks, who, by their own labours and handiwork, did earn their own living.' Columba was another of his disciples, who, having first founded the monastery of Dearmach in

p. 115. (fol. 100.) Ordo Apostolicorum. Sub Congello Bannocorensi, illustris familiæ Britanno, monachismus Ægyptius, a Pelagio prius introductus, sub specie religionis in Britannia radices, vires, et incrementa largissima cœpit, ad alias etiam Europæ provincias plantaria transmittens.

[73] Cave, Hist. Liter. (v. 1. p. 291.) Unum monachum fuisse [Pelagium] facile concedimus: collegii vero Bannochorensis fuisse abbatem, et duo millia monachorum sub regimine suo habuisse, et exinde postea a suis in exsilium pulsum; denique academiæ Cantabrigiensis fuisse alumnum, nuda videntur Ranulphi Cestrensis, Joannis Tinmuthensis, Nicolai Cantilupi, Caii, Balei, aliorumque somnia.

[74] Hist. Angl. l. 2. c. 2. (p. 80. 37.) Erant autem plurimi eorum de monasterio Bancor, in quo tantus fertur fuisse numerus monachorum, ut cum in septem portiones esset cum præpositis sibi rectoribus monasterium divisum, nulla harum portio minus quam trecentos homines haberet, qui omnes de labore manuum suarum vivere solebant.

[75] Vit. Malachiæ, c. 5. [c. 6.] p. 1934. (t. 2. p. 1477 b. 11.) Locus [Benchor] vere sanctus fœcundusque sanctorum, copiosissime fructificans Deo, ita ut unus ex filiis sanctæ illius congregationis, nomine Luanus, centum solus monasteriorum fundator exstitisse feratur.

[76] Religion of the Ancient Irish, ch. 6. p. 46. (Works, v. 4. p. 303.)... We find it related of our Brendan, that, &c.

Ireland, went and converted the Northern Picts to the Christian faith, anno 565, and builded a monastery in the Isle of Huy; from whence many other monasteries, both in Britain and Ireland, as Bede[77] observes, were propagated by his disciples. Columbanus and Gallus were also monks under Congellus: the latter of which is famous for founding the monastery of St. Gall, in Helvetia, which is since become an eminent city; and the other for founding that of Lexovium or Lisieux, in Normandy, where the monks, like the *Acœmetæ*, or *Watchers*, of Constantinople, mentioned before, were used to divide themselves into several choirs, to succeed one another, and continue divine service day and night, without intermission, as St. Bernard[78] informs us.

I have been the more particular in giving a distinct account of these two famous monasteries, Benchor and Bangor, not only because they were the most ancient in Ireland and Britain, but because they are so unhappily by Hospinian and Bale confounded into one.

Of some uncommon names of monks in the ancient Church.

14. I will shut up this chapter with a few remarks upon the different names which the Ancients gave to some or to all kinds of monks in general. Beside the names of *monks* and *ascetics*, we find them frequently styled by other titles, respecting some particular act of their profession. In regard to their retirement and quiet way of living, some are styled by Justinian[79], in one of his Novels, Ἡσυχασταὶ, *Hesychastæ*, *Quietists*. Suicerus[80] and Habertus[81] take it to be only an-

[77] Hist. Angl. l. 3. c. 4. (p. 106. 30.) Venit.... Britanniam Columba, regnante Pictis Bridio, filio Meilochon, rege potentissimo, nono anno regni ejus, gentemque illam verbo et exemplo ad fidem Christi convertit. .... Fecerat autem, priusquam Britanniam veniret, monasterium nobile in Hibernia, quod a copia roborum *Dearmach* lingua Scotorum, hoc est, *Campus Roborum*, cognominatur. Ex quo utroque monasterio, plurima monasteria per discipulos ejus, et in Britannia et in Hibernia, propagata sunt.

[78] Vit. Malachiæ, c. 5. [c. 6.] (t. 2. p. 1477 d. 3.) ..... Ad has nostras Gallicanas partes Sanctus Columbanus ascendens Luxoviense construxit monasterium, factus ibi in gentem magnum. Aiunt tam magnam fuisse, ut succedentibus sibi vicissim choris, continuarentur solemnia divinorum, ita ut ne momentum quidem diei ac noctis vacaret a laudibus.

[79] Novel. 5. c. 3. (t. 5. p. 45.) ... Nisi tamen quidam eorum in contemplatione, et perfectione degentes vitam remotam habeant in hospitio: quos vocare *anachoretas*, id est, *discedentes;* et *hesychastas*, id est, *quiescentes* consueverunt, &c

[80] Thes. Eccles. Voce Ἡσυχαστής: (tom. 1. p. 1335.) Ἡσυχάζω significat *quiesco, in otio vivo*..... Hinc ἡσυχάζων notat ἀναχωρητήν... Photius, Epistolam 20. p. 81, inscribit:

other name for anchorets; but, according to Justinian's account it seems rather to mean persons who lived among the Cœnobites, but for greater exercise were allowed to retire from the community, and live, though within the bounds of a *cœnobium*, in particular cells by themselves, and those cells were called *ἡσυχαστήρια* upon that account. Otherwhiles monks are styled *Continentes*, because of their great *abstinence* and *continent life:* as in the third Council of Carthage[82], which forbids 'the clergy and persons professing continence to go to the virgins or widows without the leave of the bishops or presbyters.' So also in a law of Valentinian, in the Theodosian Code[83], and other places. Sometimes again they are noted by the names, Ἀποταξάμενοι and *Renunciantes, Renouncers,* from *renouncing the world* and a secular life; as in Palladius[84], and Cassian[85], who particularly entitles one of his books, *De Institutis Renunciantium.* Sometimes they are termed *Philosophers,* as by Isidore of Pelusium[86], Palladius[87], Theodoret[88], and others, because their way of living seemed to resemble the philosophic life more than others. The author under the name of Dionysius the Areopagite seems to give them the name of *Therapeutæ*[89], though that was once a common name

Ἀθανασίῳ μοναχῷ ἡσυχάζοντι, *Athanasio monacho anachoretæ.* Hinc colligitur, hunc non simpliciter monachum fuisse, sed ἡσυχάζοντα: hoc est, quem nos dicimus anachoretam, qui cellam incolens solitariam se separabat a κοινοβιωτῶν ἀναστροφῇ. Hic vocatur ἡσυχαστής.

[81] Archierat. ad Edict. pro Archimandr. observ. 2. (p. 588.) Anachoretarum loca non φροντιστήρια, vel monasteria, sed ἡσυχαστήρια dicta sunt, ut et ipsi ἡσυχασταί.

[82] C. 25. (t. 2. p. 1171 a.) Ut clerici vel continentes, ad viduas vel virgines, nisi jussu vel permissu episcoporum et presbyterorum non accedant.——Vid. Cod. Can. African. c. 38. (ibid. p. 1070 a.) Κληρικοὶ ἢ ἐγκρατευόμενοι πρὸς χήρας ἢ παρθένους, εἰ μὴ κατ' ἐπιτροπὴν καὶ συναίνεσιν τοῦ ἰδίου ἐπισκόπου ἢ τῶν πρεσβυτέρων, μὴ εἰσίτωσαν.

[83] L. 16. tit. 2. de Episc. leg. 20. (t. 6. p. 48.) .... Qui *continentium* se volunt nomine nuncupari, &c.

[84] Hist. Lausiac. c. 15. (Bibl. Patr. Gr. Lat. t. 2. p. 917 b. 2.) .... Τοῖς μὲν ἤρεσκεν ὁ τοῦ ἅπαξ ἀποταξαμένου βίος, τοῖς δὲ ὁ κοινωνικὸς πρὸς πάντας τοὺς δεομένους.

[85] L. 4. [Conf. c. 1. (p. 48.) ..... Ad institutionem ejus renuntiat huic mundo, &c. ED.]

[86] L. 1. Ep. 1. (p. 1 a.) Οἱ μὲν ἅγιοι τῆς μοναχικῆς φιλοσοφίας κορυφαῖοι καὶ ἡγεμόνες ἐκ τῶν ἄθλων καὶ ἀγώνων ὧν ἐτέλεσαν, καὶ τὰς προσηγορίας ἁρμοδίας τοῖς πράγμασι πρὸς νουθεσίαν ἡμῶν καὶ μάθησιν ἔθεντο.

[87] Hist. Lausiac. c. 8. (ut supr. p. p. 910 b. 9.) Ἄτοπον γάρ ἐστι δι' ἐμὲ κρύπτεσθαί σου τὴν τοσαύτην καὶ τοιαύτην ἀρετὴν τῆς φιλοσοφίας, συνοικοῦντά μοι διὰ τὸν Κύριον ἐν ἀγνείᾳ.

[88] L. 4. c. 28. (v. 3. p. 186. 29.) Ἦσαν δὲ καὶ ἄλλοι κατ' ἐκεῖνον τὸν καιρὸν τὰς τῆς μοναχικῆς φιλοσοφίας ἀφιέντες μαρμαρυγάς.

[89] De Hierarch. Eccles. c. 6. part.

of Christians in Egypt, if the accounts of Eusebius and St. Jerom[90] may be trusted. Palladius[91] sometimes uses the term φιλοθεία for the monastic life, because they made a profession of renouncing all *for the love of God:* and upon this account Theodoret[92] gives one of his books the title of *Philotheus*, or *Religious History*, because it contains the lives of the most famous ascetics of his time. The reader will sometimes also meet with the name of *Silentiarii*, given to some monks in ancient history; but this was not a name of any particular order, but given to some few for their professing *a more than Pythagorean silence;* such as Johannes Silentiarius, who was first bishop of Colonia in Armenia but renounced his bishopric to become a monk in Palestine, where he got the name of *Silentiarius*, from his extraordinary silence, as Cyril[93] of Scythopolis, the writer of his Life, informs us. Though it must be noted, that the name, *Silentiarii*, is more commonly given to another sort of men, who were civil officers in the emperor's palace, and served both as apparitors to execute public business, and as guards to keep the peace about him, whence they had the name of *Silentiarii*, under which title they are spoken of in the Theodosian Code[94], which joins them and the *Decuriones* together, where in Gothofred's learned Notes the curious reader may find a further account of them. Another name which the historians give to some Egyptian monks, who were deeply concerned in the disputes between Theophilus and Chrysostom, is the title of Μακροὶ, or *Longi;* but this was peculiar to four brethren, Dioscorus, Ammonius, Eusebius, and Euthymius, who were noted by this name for no other reason,

1. n. 3. p. 386. (t. 1. p. 250 d.) Ἔνθεν οἱ θεῖοι καθηγεμόνες ἡμῶν ἐπωνυμιῶν αὐτοὺς ἱερῶν ἠξίωσαν· οἱ μὲν θεραπευτὰς, οἱ δὲ μοναχοὺς ὀνομάζοντες, ἐκ τῆς τοῦ θεοῦ καθαρᾶς ὑπηρεσίας καὶ θεραπείας, καὶ τῆς ἀμερίστου καὶ ἑνιαίας ζωῆς, κ. τ. λ,

90 See before. ch. 1. c. 1. s. 1. v. 1. p. 2. nn. 2, 3.

91 Hist. Lausiac. c. 12. (ut supr. p. 914 b. 1.) Ὁ Ἀμμώνιος οὗτος μαθητὴς γεγονὼς τοῦ μεγάλου Παμβὼ ἅμα τρισὶν ἀδελφοῖς ἑτέροις καὶ δυσὶν ἀδελφαῖς, εἰς ἄκρον φιλοθείας ἐλάσαντες, κατειλήφασι τὴν ἔρημον, καὶ ἀμφοτέρας τὰς μονὰς κατὰ ἰδίαν ποιήσαντες τῶν τε ἀνδρῶν καὶ τῶν γυναικῶν, ὡς ἱκανὸν ἀπέχειν ἀπ' ἀλλήλων διάστημα.

92 Φιλόθεος Ἱστορία, t. 4. (Ed. Schultz, v. 3. part 2. p. 1099.)

93 Ap. Papebroch. Act. Sanctor. Maii 13. c. 12. (t. 3. p. 234.) Ab eo tempore siluit in cella, neque procedens ad ecclesiam, neque ullum omnino conveniens, spatio quatuor annorum, eo excepto, qui ei ministrabat, ac nisi solum Dei dedicationis, &c.

94 L. 6. tit. 23. de Decurionibus et Silentiariis. (t. 2. pp. 125, seqq.)

as Sozomen[95] observes, but only because they were *tall of stature.* In Sidonius Apollinaris they are sometimes called *Cellulani*, from their *living in cells*[96], and *Insulani, Islanders*, because the famous monastery in the *Isle of Lerins* was the place where most of the French bishops and learned men in those ages had their education. So this was a peculiar name for the monks of Lerins.

The monasteries, beside the common names of *μοναστήρια* and *μοναὶ*, were also sometimes termed *σεμνεῖα*, as Suicerus[97] shews out of Balsamon, and Methodius, and Suidas, though *that* anciently in Eusebius and Philo signified *a church.* They were also called *ἡγουμενεῖα* and *μάνδραι*, whence *hegumenus* and *archimandrita* are names for an abbot, who is the chief father of a monastery or governor of it. And they are sometimes styled *φροντιστήρια, places of education, and schools of learning*, because, as I shew in the next chapter, they were anciently made use of to that end, and had their *φροντισταὶ*, or *curators*, particularly designed for that purpose.

[95] L. 6. c. 30. (v. 2. p. 262. 37.) *Οἱ Μακροὶ δὲ ἐκ τοῦ σώματος ὠνομάζοντο.* [The Historian does not mention Euthymius. Ed.]

[96] L. 9. Ep. 3. ad Faustum. (p. 563.).... Precum peritus *Insulanarum*, quas de senatu Lirinensium Cellulanorum in urbem.... transtulisti.—So Eucherius ad Salon., l. 1. Insulani tironis.—And Faustus de Natali S. Maximi, Studium Insulanum.—See Savaro, Not. in loc. Sidon (p. 565.) *Precum peritus Insulanarum;* quibus scilicet in Insula Lirinensi institutus est Faustus Regiensis, de quibus Car. 16. et Hilarius Arelat. in Vita S. Honorati, Eucherius de Laudibus Eremi, Faustus in Homil. de Natali S. Maximi, et Cæsarius Arelat. Homil. 25. *Insulanæ preces.* Faustus, *Et quia superius memoravimus, quam magnifice Insulano illo studio perfectionis vias cucurrit.* Eucher. ad Salonium, lib. 1. *Cum te illic beatiss. Hilarii Insulani tironis, sed jam nunc summi pontificis, doctrina formaret.—Insulani monachi;* Fulgenti Vita, c. 15. —Ibid. (p. ead.) *Lirinensium cellularum.* Supr. Ep. 17. lib. 7. Lirinensium patrum statuta. Carm. 16, cellulanos vocat monachos et eremitas. Ennod., *Præceptum cum visi sunt omnes episcopi Cellulanos habere*, a cellis quibus se concludebant. Eusebius de Eremo Lirinensi, *Hæc nunc habet sanctos senes illos, qui divisis cellulis Ægyptios patres Galliis nostris intulerunt*, &c.

[97] [Eccles. Thes. (t. 2. p. 947.) *Σεμνεῖον* est locus *sacer*, seu *sanctus*, quasi dicas *sanctuarium.* Hesychio est *ἱερὸς οἶκος, sacra domus.* Philo usurpat de loco, in quo monachi *τὰ τοῦ σεμνοῦ βίου μυστήρια τελοῦνται*, quod et *μοναστήριον.* Suidas: *Σεμνεῖον· τὸ μοναστήριον, ἐν ᾧ μονούμενοι, οἱ ἀσκηταὶ, τὰ τοῦ σεμνοῦ βίου μυστήρια τελοῦσι....* Methodius in Chronico: *Μάρκος ὁ εὐαγγελιστὴς πολλὰ μοναστήρια συνεστήσατο, ἅπερ σεμνεῖα τότε προσηγορεύθησαν.....* Balsamon ad can. 12. Concilii 2. Nicæni, p. 519. *Ὃν τρόπον ὁ δημόσιος οὐ πολυπραγμονεῖται ὑφ' ἑαυτοῦ, οὕτως οὐδὲ τὰ ἱερὰ σεμνεῖα· ἢ ἡσυχαστήρια, μοναστήριά τε καὶ λοιπὰ ὑπό τινος τῶν τοῦ δημοσίου φροντιστῶν ἀνακριθήσεται. Grischov.*]

CHAP. III.

An account of such ancient laws and rules, as relate to the monastic life, chiefly that of the Cœnobites.

curiales allowed urn nks.

1. HAVING thus far taken a view of the several sorts of monks, and their several titles, I proceed to give a short account of the principal laws and rules, made partly by the joint concurrence of the civil and ecclesiastical power, and partly by the authority of private superiors, for the government of the Cœnobites, or such monks as lived in communities, which were chiefly regarded in the Church. And here we must first look to the laws relating to their admission; for all men were not allowed to turn monks at pleasure, because such an indiscriminate permission would have been to the detriment both of Church and State. Upon this account the Civil Law forbids any of the *curiales* to become monks, unless they parted with their estates to some others, that might bear the offices of their country in their stead. To this purpose is that law of Valentinian and Valens, in the Theodosian Code[98], which, taking notice of some *curiales*, who pretended to associate themselves with the monks in Egypt, only to avoid bearing the offices of their country, orders them 'to be fetched back from the monasteries by force, and to be compelled to do their duty in their civil station, or else to part with their estates to others that should officiate for them.' This was agreeable to all those ancient laws, which forbad any of the *curiales* to be ordained among the clergy, except upon the same condition of quitting their estates to others to bear the offices of their country in their stead. And yet Baronius[99] is so offended at

[98] L. 12. tit. 1. de Decurionibus leg. 63. (t. 4. p. 409.) Quidam ignaviæ sectatores, desertis civitatum muneribus, captant solitudines ac secreta, et specie religionis cum cœtibus monazontôn congregantur. Hos igitur atque hujusmodi intra Ægyptum deprehensos, per comitem Orientis erui e latebris consulta præceptione mandavimus, atque ad munia patriarum subeunda revocari, aut pro tenore nostræ sanctionis familiarum rerum carere illecebris: quos per eos censuimus vindicandas, qui publicarum essent subituri munera functionum.

[99] An. 375. n. 10. (t. 4. p. 373 e.) At Valens imperator, nequitia exardescens, sic oratione Themistii visus est ab ecclesiarum persecutione abstinuisse, ut tamen alia via, novo excogitato prætextu, diram adversus monachos persecutionem conflarit, cum eos exutos monastica professione e monasteriis, lege lata, ad militiam revocari præcepit hoc ipso anno, quo Valentinianus ex hac vita sublatus est, ut S. Hieronymus habet, &c.

this law, that he reckons it was but the *præludium* to a severe persecution, which Valens, shortly after the death of Valentinian, brought upon the monks in the East, when, as St. Jerom[1] and Orosius[2] inform us, he by another law obliged them to turn soldiers, and ordered such as refused to be bastinadoed to death. Gothofred[3] by mistake reckons this law the very same with the former; but Mr. Pagi[4] corrects both him and Baronius together, and shews them to be distinct laws, and plainly to refer to different times and things;—the one being made while Valentinian was alive, the other by Valens alone after his death;—the one a very severe law, raising a great persecution against the monks, the other laying no greater burden on them than was always laid upon the clergy by other laws, which prohibit the *curiales* to be ordained[5], unless they found proper substitutes to bear the offices of their country in their room. And the reason of these laws, as they referred both to the monks and clergy, was one and the same,—that men, who by their estates were tied to the service of their country, might not exempt their estates from that service under pretence of entering into a religious life.

Nor servants without their master's consent.

2. For the same reason the most ancient laws, both of Church and State, forbid any servant to be admitted into any monastery without his master's leave, because that was to deprive his master of his legal right of service, which by the original state and condition of his servants was his due. To this purpose Valentinian the Third has a law, at the end of the Theodosian Code[6], which equally forbids servants to become

[1] Chron. an. 376. (t. 8. p. 815.) Valens, lege data, ut monachi militarent, nolentes fustibus jussit interfici.

[2] Hist. l. 7. c. 33. (Galland. t. 9. p. 149 a.) Valens.... illico post [fratris obitum], velut effrenata libertatis audacia, legem dedit, ut monachi, hoc est, Christiani, qui ad unum fidei opus, dimissa sæcularium rerum multimoda actione, se redigunt, ad militiam cogerentur. Vastas illas tunc Ægypti solitudines, arenasque diffusas, quas propter sitim ac sterilitatem, periculosissimamque serpentum abundantiam, conversatio humana non noverat; magna habitantium monachorum multitudo compleverat. Huc tribuni et milites missi, qui sanctos ac veros milites Dei alio nomine persecutionis abstraherent. Interfecta sunt ibi agmina multa sanctorum.

[3] In Cod. Theod. l. c. supr. n. 98. (t. 4. p. 413. col. dextr.) Maneat.. hanc legem nostram eandem esse cum altera illa, neque aliam ab hac quærendam.

[4] Crit. in Baron. an. 375. nn. 12 et 13. (t. 1. p. 542.) Quidquid de hac re sit, &c.

[5] See b. 4. ch. 4. s. 4. v. 2. p. 58.

[6] Novel. 12. (t. 6. append. p. 26.) Nullus originarius, inquilinus, servus, vel colonus, ad clericale munus accedat, neque monachis et mona-

either clerks or monks against their master's will, to evade the proper bonds and duties of their station. Baronius[7] has a sour reflection upon this law also; for he says, nothing ever prospered with Valentinian after the making of it: and yet he could not but know that the same thing had been before determined by the Council of Chalcedon[8], and that, at the instance of the emperor Marcion, who himself drew up the law, and desired the fathers in synod to make a canon of it, as appears from the Acts[9] of that Council. The words of the canon are, 'that no one shall be received into any monastery, to continue there as a monk, without the consent of his own master;' so little reason was there to charge Valentinian with an innovation in this matter, when an emperor and a general Council had determined the same before him. But Justinian cancelled all these former laws by a new edict of his own[10], which first set servants at liberty from their masters, under pretence of betaking themselves to a monastic life. So that what innovation was made in this matter is justly to be ascribed to him as its proper author.

Nor husbands and wives without mutual consent of each other.

3. Another caution which the Ancients prescribed to be observed in this matter was, that married persons should never betake themselves to a monastic life without mutual consent of

steriis aggregetur, ut vinculum debitæ conditionis evadat.

[7] An. 452. (t. 6. p. 182 c.)... Sed et vetuit curiales clericos ordinari, vel monachos fieri, similiter et originarios, inquilinos, colonos, et servos. Hæc quidem Valentinianus turpiter Romæ promulgat: sed quam inique et impie, lata a successore Majoriano, his contraria, sanctio demonstravit.... Quam autem male consulatur imperio, dum in ecclesiarum jura insurgunt imperatores, pluribus sæpe superius est demonstratum, et nunc graviore damno id ipsum imperatorem contigit experiri, &c.

[8] Act. 6. (t. 4. p. 610 a.) *Ὁ θειότατος καὶ εὐσεβέστατος ἡμῶν δεσπότης πρὸς τὴν ἁγίαν σύνοδον εἶπε· Τινά ἐστι κεφάλαια, ἃ τινα πρὸς τιμὴν τῆς ὑμετέρας εὐλαβείας ὑμῖν ἐφυλάξαμεν, πρέπον ἡγησάμενοι, παρ' ὑμῶν ταῦτα κανονικῶς κατὰ σύνοδον τυπωθῆναι, ἢ νόμοις θεσπισθῆναι ἡμετέροις· καὶ κατὰ κέλευσιν τοῦ θειοτάτου καὶ εὐσεβεστάτου ἡμῶν δεσπότου, Βερονικιανὸς ὁ καθωσιωμένος σηκρητάριος τοῦ θείου κονσιστορίου τὰ κεφάλαια ἀνέγνω οὕτω, κ. τ. λ.*—Ibid. c. 1. (c.) ... *Μήτε μὲν ἐξουσίαν ἔχειν τοὺς μονάζοντας δέχεσθαι ἐν τοῖς ἑαυτῶν μοναστηρίοις δούλους, ἢ ἐναπογράφους, παρὰ γνώμην τῶν δεσποτῶν.*

[9] Act. 15. c. 4. (ibid. p. 758 c.) *Μηδένα δὲ προσδέχεσθαι ἐν τοῖς μοναστηρίοις δοῦλον ἐπὶ τῷ μονάσαι παρὰ γνώμην τοῦ ἰδίου δεσπότου.*

[10] Novel. 5. c. 2. (t. 5. p. 43.) Et dum triennio toto ita permanserint, optimos semetipsos, et tolerabiles aliis monachis et præsuli demonstrantes, hos monasticam promereri vestem atque tonsuram: et sive liberi sint sine calumnia permanere, sive servi, penitus non inquietari migrantes ad communem omnium, dicimus autem cœlestem, Dominum: et arripiantur in libertatem.

both parties. Thus Ammus and his wife acted by consent, as Socrates[11] and Palladius[12] relate the story. And so Martinianus and Maxima, mentioned by Victor Paulinus[13], bishop of Nola, and Therasia his wife, by mutual consent. But Paulinus[14] inveighs severely against the contrary practice, blaming Celantia and others, who indiscreetly dissolved their marriage-vow, and thereby exposed their husbands to the sin of adultery, making themselves partakers in their guilt, by acting against the rule of the Apostle, which says, "The wife hath not power of her own body, but the husband; and likewise also the husband hath not power of his own body, but the wife." St. Austin[15] argues upon the same ground, 'that such engagements are not to be made but by mutual consent; and if either party inconsiderately enter into any such vow, they are rather to repent of their rashness than perform their promise.' This was his constant sense, as appears from other places[16] of his

[11] L. 4. c. 23. (v. 2. p. 237. 15.) Οὐ πολλοῦ δὲ παραδραμόντος καιροῦ, ἡ νεόνυμφος καὶ ἀμόλυντος τοιάδε πρὸς τὸν Ἀμμοῦν ἔλεξεν· Οὐ πρέπον, ἔφη, ἀσκοῦντί σοι σωφροσύνην, ὁρᾷν ἐν τοσούτῳ οἰκήματι θήλειαν· διὸ εἰ δοκεῖ, ἕκαστος ἰδίᾳ τὴν ἄσκησιν ποιησώμεθα· αὗται πάλιν αἱ συνθῆκαι ἥρεσκον ἀμφοτέροις· καὶ χωρισθέντες ἀπ' ἀλλήλων, οὕτω τὸ λοιπὸν τοῦ βίου διήνυσαν, κ. τ. λ.

[12] [Hist. Lausiac. c. 7. (Bibl. Patr. Gr.-Lat. t. 2. p. 909.) ED.]

[13] De Persecut. Vandal. l. 1. ap. Bibl. Magn. 1589. t. 7. (Bibl. Max. t. 8. p. 677 h. 15.) Quia Martinianus armifactor erat, et Domino suo satis videbatur acceptus, et Maxima universæ domui dominabatur, credidit Vandalus, ut fideles sibi magis memoratos faceret famulos, Martinianum Maximamque conjugali consortio sociare. Martinianus adolescentulorum sæcularium more conjugium affectabat: Maxima namque, jam Deo sacrata, humanas nuptias refutabat. At ubi ventum est, ut cubiculi adirentur secreta silentia, et Martinianus, nesciens quid de illo decreverat Deus, maritali fiducia quasi cum conjuge cuperet cubitare, vivaci voce memorata famula Christi respondit: Christo ego, O Martiniane frater, membra mei corporis dedicavi, nec possum humanum sortiri conjugium, habens jam cælestem et verum sponsum; sed dabo consilium: si velis, poteris et ipse tibi præstare cum licet, ut, cui ego concupivi, delecteris et ipse servire. Ita factum est, Domino procurante, ut obediens virgini etiam adolescens suam animam lucraretur.

[14] Ep. 14. [al. 148.] ad Celant. int. Ep. Hieron. (t. 1. p. 1101 c.) Multa jam per hujuscemodi ignorantiam et audivimus et vidimus scissa conjugia; quodque recordari piget, occasione castitatis adulterium perpetratum, &c.

[15] Ep. 45. [al. 127.] ad Armentar. et Paulin. (t. 2. p. 376 g.) Nam et vovenda talia non sunt a conjugatis, nisi ex consensu et voluntate communi. Et si præpropere factum fuerit, magis est corrigenda temeritas quam persolvenda promissio.

[16] Ep. 199. [al. 262.] ad Ecdic. (t. 2. p. 889 b.) Neque enim corporis tui debito fraudandus fuit [vir tuus] prius quam ad illud bonum, quod superat pudicitiam conjugalem, tuæ voluntati voluntas quoque ejus accederet: &c.

writings: and herein St. Jerom[17], St. Basil[18], and all the Ancients agree, except Theonas in Cassian[19], who, having forsaken his wife to turn monk, is said to have done it with the approbation of the fathers in Scethis, though Cassian himself dares not undertake to excuse it, as knowing it to have been against the general sense and practice of the Catholic Church. Justinian indeed gave some encouragement to this unwarrantable practice by a law[20], wherein he authorizes the deserting party, man or woman, to claim their own fortune again, and not to be liable to the least punishment for their desertion. But the Church never approved of this law; and it is remarked, even by Bellarmin himself[21], that Gregory the Great wrote against it.

[17] Hieron. Ep. 46. [al. 122.] ad Rustic. De non divellendo matrimonio sine utriusque consensu. (t. 1. p. 892 e.) Narravit mihi uxor quondam tua, nunc soror atque conserva, quod juxta præceptum Apostoli, ex consensu abstinueritis vos ab opere nuptiarum.

[18] Regul. Major. quæst. 12. (t. 2. part. 1. p. 494 b.) *Καὶ τοὺς ἐν συζυγίᾳ δὲ γάμου τοιούτῳ βίῳ προσερχομένους ἀνακρίνεσθαι δεῖ, εἰ ἐκ συμφώνου τοῦτο ποιοῦσι κατὰ τὴν διαταγὴν τοῦ Ἀποστόλου· τοῦ γὰρ ἰδίου σώματός, φησιν, οὐκ ἐξουσιάζει· καὶ οὕτως ἐπὶ πλειόνων μαρτύρων δέχεσθαι τὸν προσερχόμενον· τῆς γὰρ πρὸς Θεὸν ὑπακοῆς οὐδὲν προτιμότερον.*

[19] Collat. 21. c. 9. (p. 559.) Cum ergo his atque hujusmodi verbis muliebris non flecteretur intentio, et in eadem obstinationis duritia permaneret, Si ego, inquit beatus Theonas, te abstrahere a morte non possum, nec tu me separabis a Christo. Tutius est autem mihi cum homine, quam cum Deo habere divortium. Aspirante itaque gratia Dei, definitionis suæ executionem instanter aggressus est, nec intepescere per aliquam moram desiderii sui passus est ardorem; nam confestim, omni mundana facultate nudatus, ad monasterium pervolavit.—Ibid. c. 10. (p. 560.) Nemo autem existimet nos hæc ad provocanda conjugiorum divortia texuisse, qui non solum nuptias minime condemnamus, verum etiam apostolicam sequentes sententiam dicimus, *Honorabile connubium in omnibus et thorus immaculatus*, sed ut lectori initium conversionis, quo tantus ille vir Deo dicatus est, fideliter panderemus; a quo, bona gratia, hoc primum deposco, ut sive hoc ei placeat, sive displiceat, me quoquo modo a calumnia alienum esse concedens, in suo hoc facto, aut laudet aut reprehendat auctorem. Ego autem, qui non meam super hac re sententiam prompsi, sed rei gestæ historiam simplici narratione complexus sum, æquum est, ut sicut mihi de eorum, qui hoc factum probant, laude nihil vendico, ita eorum, qui id improbant, non pulser invidia.

[20] Cod. l. 1. tit. 3. de Episc. et Cler. leg. 52. (t. 4. p. 136. sub med.) *Ἔτι θεσπίζομεν· εἴτε ἀνὴρ ἐπὶ μονήρη βίον ἐλθεῖν βουληθείη, εἴτε γυνὴ τὸν ἄνδρα καταλιποῦσα πρὸς ἄσκησιν ἔλθοι, μὴ τοῦτο αὐτὸ ζημίας παρέχειν πρόφασιν· ἀλλὰ τὰ μὲν οἰκεῖα πάντως λαμβάνειν· ὥστε τῇ γυναικὶ τὴν προῖκα εἶναι λαβεῖν τὴν αὐτῆς· καὶ τὴν πρὸ γάμου δωρεὰν τῷ συνοικήσαντι· τὸ δὲ ἐκ τούτου κέρδος, μὴ κατὰ τὴν ἐκ ῥεπουδίου διάζευξιν ἐκδικεῖν, ἢ μένειν παρὰ τῷ μὴ ἀποταξαμένῳ, ἀλλὰ κατὰ τὸ ἐκ θανάτου σύμφωνον· οἷα δοκοῦντος τοῦ ἀφισταμένου τῷ τῆς μετὰ τῶν ἄλλων διαίτης ἀναχωρεῖν τῷ γε ἐπὶ τῷ συνοικεσίῳ τεθνᾶναι, διὰ τὸ τῷ*

Nor children without the consent of their parents.

4. It was anciently also thought unreasonable to admit children into the monastic life without or against the consent of their parents. The Council of Gangra[22] seems to reflect on this practice, as encouraged by Eustathius the heretic, in a canon, which decrees, 'that if any children, under pretence of religion, forsook their parents, and did not give them the honour due to them, they should be anathematized.' St. Basil's directions[23] are conformable to the rule of that Council, 'that children should not be received into monasteries, unless they were offered by their parents, if their parents were alive.' But Justinian a little enervated the force of this ancient rule by a new law[24], 'forbidding parents to hinder their children from becoming monks or clerks, and evacuating their wills, if they presumed to disinherit them upon that account.' And this seems to have been the first step toward the contrary practice; which some learned writers[25] of the Romish Church have been so far from approving, that they have with the utmost zeal and vehemence declaimed against it, as repugnant to the laws of reason and Scripture, and the general practice of the primitive Church.

Children, though offered by their parents, not to be retained against their own consent.

5. Nor was it only the parent's right that was to be considered in this case, but also the right that every person is presumed to have in himself; for if a parent offered a child before he was capable of giving his own consent, the act was of no force, unless a child confirmed it voluntarily when he came to years of discretion; which the second Council of

συνοικήσαντι παντελῶς ἄχρηστον εἶναι, κ. τ. λ.

[21] De Monachis, l. 2. c. 38. (t. 2. p. 480 d.) Alter error est in altero extremo, quod nimirum matrimonium etiam consummatum dissolvatur per ingressum in religionem. Ita decrevit Justinianus, Cod. de Episc. et Cler. 1. finali; et refert hanc legem Gregorius, lib. 9. epist. 39.

[22] C. 16. (t. 2. p. 224 [corrige, 420] a.) Εἴ τινα τέκνα γονέων, μάλιστα πιστῶν, ἀναχωροίη προφάσει θεοσεβείας, καὶ μὴ τὴν καθήκουσαν τιμὴν τοῖς γονεῦσιν ἀπονέμοι, προτιμωμένης δηλονότι παρ' αὐτοῖς τῆς θεοσεβείας, ἀνάθεμα ἔστω.

[23] Regul. Major. quæst. 15. (t. 2. part. 1. p. 496 d. n. 1.) .... Τὰ δὲ [παιδία] ὑπὸ γονεῖς ὄντα, παρ' αὐτῶν ἐκείνων προσαγόμενα, ἐπὶ πολλῶν μαρτύρων δεχόμενοι, ὥστε μὴ δοῦναι ἀφορμὴν τοῖς θέλουσιν ἀφορμὴν, ἀλλὰ πᾶν ἄδικον στόμα τῶν λαλούντων καθ' ἡμῶν βλασφημίαν ἐπισχεθῆναι.

[24] Cod. ut supr. n. 20. leg. 54. (t. 4. p. 140.) Ut non liceat parentibus impedire, quo minus liberi eorum volentes monachi aut clerici fiant, aut eam ob solam causam exhæredare, &c.

[25] Ærodius de Patr. Jur. ad Fil. (pp. 649, seqq.) Agamus itaque de votis, &c.

Toledo reckons to be about the age of eighteen, decreeing[26], 'that all such, as were entered in their infancy by their parents into the clerical or monastic state, should be instructed in the bishop's house till they came to that age, and then they should be interrogated, whether they intended to lead a single life or marry, that accordingly they might now resolve either to continue in their present state, or betake themselves to a secular life again;' which, by the decree of this Council, they had still liberty to do. And virgins had the same liberty till forty by an edict of the emperors Leo and Majorian[27] at the end of the Theodosian Code. But the fourth Council of Toledo[28] was more severe in this respect to infant monks, for there it was decreed, anno 633, 'that whether their parents' devotion or their own profession made them monks, both should be equally binding, and there should be no permission to return to a secular life again.' This, as Spalatensis[29] rightly observes, was

[26] C. 1. (t. 4. p. 1733 a.) De his, quos voluntas parentum a primis infantiæ annis in clericatus officio vel monachali posuit, [al. clericatus officio manciparit,] [pariter] statuimus observandum, ut mox cum detonsi vel ministerio electorum contraditi fuerint, in domo ecclesiæ sub episcopali præsentia a præposito sibi debeant erudiri. At ubi octavum decimum ætatis suæ compleverint annum, coram totius cleri plebisque conspectu, voluntas eorum de expetendo conjugio ab episcopo perscrutetur, &c.

[27] Novel. 8. ad calc. Cod. Theod. (t. 6. append. p. 36. col. sinistr.)... Unde ne per hujusmodi impietatem parentum egestas et opprobrium personis nobilibus irrogetur, et, quod præcipue submovendum est, irrisionibus execrandis Omnipotentis Dei contrahatur offensio, edictali lege sancimus, filias, quas pater materve a sæculari permixtione translatas Christianæ fidei servare præcepta continuata virginitate censuerint, in beatæ vitæ proposito permanentes, non ante suscepto honorato capitis velamine consecrari, quam 40. anno ætatis emensæ talibus infulis inoffensa meruerunt observatione decorari, et multi temporis series et cælestis consuetudo servitii ad perfidam voluntatem novis desideriis aditum non relinquant, qui, ante definitum temporis spatium, sanctimonialem puellam aliis adulti sexus sui votis calentem memoratorum quisquam parentum velari fecerit atque permiserit, tertia bonorum parte multetur; eadem pœna constringi etiam, quæ illa parentibus destituta ut intra prædictæ ætatis annos voluerit consecrari.

[28] C. 48. [al. 49.] (t. 5. p. 1717 d.) Monachum aut paterna devotio aut propria professio facit. Quicquid horum fuerit alligatum, tenebit. Proinde his ad mundum revertendi [al. reverti] intercludimus aditum, et omnes [al. omnem] ad sæculum interdicimus regressus [al. regressum.]

[29] De Republ. part. 1. l. 2. c. 12. n. 29. (p. 358. c. 10.) Immo eo progressi sunt homines, humana in hoc sapientes, ut pro monachis veris et obligatis monachali vitæ, habendos censuerint interdum et decreverint eos quoque, qui nullo propriæ voluntatis arbitrio, propriave electione, sed solo parentum voto solaque eorum obligatione, pueri in monasteriis esse, monachalemque habitum gestare, inveniuntur.

the first canon that ever was made to retain children in monasteries, who were only offered by their parents, without requiring their own consent at years of discretion.

Of the tonsure and habit of monks.

6. The manner of admission was generally by some change of their habit and dress, not to signify any religious mystery, but only to express their gravity and contempt of the world. And in this, the sober part of them were always careful to observe a decent mean betwixt vanity and lightness, on the one hand, and hypocritical affectations on the other. Long hair was always thought an indecency in men, and savouring of secular vanity; and therefore they polled every monk at his admission, to distinguish him from the seculars; but they never shaved any, for fear they should look too like the priests of Isis. This, then, was the ancient tonsure, in opposition to both those extremes. Long hair they reckoned an effeminate dress, and against the rule of the Apostle; therefore Epiphanius[30] blames the Mesopotamian monks for wearing long hair against the rule of the Catholic Church; and St. Austin[31] censures such under the name of *criniti fratres, the long-haired brethren.* St. Jerom, according to his custom, expresses himself with satire and indignation against them; for, writing to Eustochium[32], he bids her 'beware of such monks as affected to walk in chains, and wear long hair, and goats'-beards, and black cloaks, and go barefoot in the midst of winter; for these were but arguments and tokens of a devil.' From which invective it may be easily collected that such sort of affectations in habit and dress were not approved then by wise men in the Church. But, on the other hand, the ancient tonsure was not a shaven crown;

[30] Hær. 80. Massal. n. 6. (t. 1. p. 1073 a. b.) Ἀλλὰ καὶ ἄλλῳ τύπῳ προελήφθησαν οἱ αὐτοὶ τίμιοι ἡμῶν ἀδελφοί, οἱ κατὰ Μεσοποταμίαν ἐν μοναστηρίοις ὑπάρχοντες, εἶτουν μάνδραις καλουμέναις, κόμαις γυναικικαῖς [κόμας γυναικικὰς Petav. in marg.] προβαλλόμενοι, καὶ σάκκῳ προφανεῖ ἐπερειδόμενοι· ... ἀλλότριον γάρ ἐστι τῆς καθολικῆς ἐκκλησίας σάκκος προφανὴς καὶ κόμη ἐκτεμνομένη [ἐκτεινομένη Petav. in marg.] ἀπὸ τοῦ κηρύγματος τῶν Ἀποστόλων.

[31] De Oper. Monach. c. 31. (t. 6. p. 501 a.) Vereor in hoc vitio plura dicere propter quosdam crinitos fratres, quorum præter hoc multa et pene omnia veneramur.

[32] Ep. 22. c. 12. [al. 28.] (t. 1. p. 110 b.) Viros quoque fuge, quos videris catenatos; quorum fœminei contra Apostolum [Paulum] crines, hircorum barba, nigrum pallium, et nudi in patientia frigoris pedes. Hæc omnia argumenta sunt diaboli.

for St. Jerom[33], St. Ambrose[34], and others, equally inveigh against this as a ceremony of the priests of Isis; it was only an obligation on the monks and clergy to wear decent and short hair, as is evident from all the canons[35] that appoint it.

As to their habit and clothing, their rules were the same, that it should be decent and grave, as became their profession; not light and airy, nor slovenly and affected. The monks of Tabennesus, in Thebais, which lived under the institution of Pachomius, seem to have been the only monks in those days who were confined to any particular habits. Cassian has a whole book among his Institutes[36] to describe them; where he speaks of their *cingula*, *cuculli*, *colobia*, *redimicula*, *palliola*, or *mafortes*, *melotes*, their *sheep-skins*, and *caligæ*, their *sandals;* all which they that are curious in this matter may find there particularly described. But he owns[37] these habits were not

[33] In Ezek. c. 44. (t. 5. p. 547 b.) Quod autem sequitur, *Caput autem suum non radent, neque comam nutrient, sed tondentes attondebunt capita sua*, perspicue demonstratur, nec rasis capitibus, sicut sacerdotes cultoresque Isidis atque Serapidis, nos esse debere, nec rursum comam demittere, quod proprie luxuriosorum est, barbarorumque et militantium, sed ut honestus habitus sacerdotum facie demonstretur.

[34] Ep. 36. [al. 58.] ad Sabin. (t. 2. p. 1013 d. n. 3.) Cum ipsi capita et supercilia sua radant, si quando Isidis suscipiunt sacra, si forte Christianus vir attentior sacrosanctæ religioni vestem mutaverit, indignum facinus appellant.

[35] Vid. C. Carth. 4. c. 44. (t. 2. p. 1203 e.) Clericus nec comam nutriat, nec barbam [radat]. [See before, book 6. chap. 4. sect. 15. p. 289. n. 6.]—C. Agathens. c. 20. (t. 4. p. 1386 c.) Clerici, qui comam nutriunt, ab archidiacono, etiamsi noluerint, inviti detondeantur.—C. Tolet. 4. c. 40. [al. 41.] (t. 5. p. 1716 d.) Omnes clerici, vel lectores, sicut levitæ et sacerdotes, detonso superius toto capite, inferius solam circuli coronam relinquant: non sicut huc usque in Galliciæ partibus facere lectores videntur, qui prolixis, ut laici comis, in solo capitis apice modicum circulum tondent. Ritus enim iste, &c.

[36] L. 1. de Habitu Monachorum. (pp. 4, seqq.)

[37] Ibid. c. 11. (ap. Ed. Lugdun. 1516. Item ap. Ed. Basil. 1575. ad calc. Damasceni, p. 907.) [In the editions of Cassian by Gazæus or Gazey, viz. Duaci, 1616. 2 vol. 8vo., Atrebati, (Arras) 1628. fol., Francofurti s. Lipsiæ, 1722, fol., and Lipsiæ, 1733, fol., which last I have chiefly consulted, the eleventh and twelfth chapters of the first Book, entitled, *De temperamento observantiæ, quæ secundum aërum qualitatem vel usum provinciæ sit tenenda*, are omitted. Cassian, I believe, is nearly apocryphal with Romanists; (see the Index Librorum Prohibitorum, Romæ 1770. 8vo. p. 37, at the name *Buffi Benedetto*, the Italian translator of the Institutes,) and possibly the liberality of chapter eleven, which I here give entire, may have led to its omission by the Benedictine editor:— Hæc dicta sint, ne quid prætermissæ de Ægyptiorum habitu videamur. Cæterum a nobis tenenda sunt illa tantummodo, quæ vel locorum situs vel provinciæ usus admittit. Nam neque caligis nos, neque colobiis,

in use among the Western monks; and some of them, particularly the cowl and the sheep-skins, would have exposed them only to derision to have worn them. St. Jerom often speaks of the habit of monks, but he never once intimates that it was any particular garb differing from others, save only in this[38], that it was a cheaper, coarser, meaner raiment than others wore, expressing their humility and contempt of the world without any singularity or affectation. For as to the affecting of black cloaks, and appearing in chains, we have heard him already express himself severely against them. And he is no less satirical[39] against those who wore cowls and sackcloth for their outward garment; because these were vain singularities, which religious persons ought to avoid, and rather observe a becoming mean in their habit between gaiety and slovenliness[40], without any notable distinction to draw the eyes of the world upon them. Palladius takes notice of some who loved to walk in chains; but he says[41], Apollo, the famous Egyptian monk, was used to inveigh severely against them. And Cassian justly blames some others as having more zeal than knowledge,

seu una tunica esse contentos hyemis permittit asperitas: et parvissimi cuculli velamen, vel melotis gestio, derisum potius quam ædificationem ullam videntibus comparabit. Quapropter illa tamen, quæ superius commemoravimus, quæque sunt et humilitate professionis nostræ et qualitati aërum congruentia, a nobis quoque affectanda censemus: ut omnis summa nostri vestitus non in novitate habitus, qui possit offendiculum hominibus sæculi hujus inferre, sed honesta in utilitate consistat.—This extract is made from a black letter copy of Cassian, Lugdun. 1516. fol., in the Bodleian Library. I have also seen the chapters in question in Basa's edition, Lugduni 1606. 8vo., dedicated to Pope Gregory XIII. But they are omitted in the reprint of Cassian from Gazey's edition in the Bibliotheca Maxima, Lugdun. 1677. Ed.]

[38] Ep. 4. [al. 125.] ad Rustic. (t. 1. p. 930 b.) Sordidæ vestes candidæ mentis indicia sunt: vilis tunica contemptum sæculi præbet.—Ep. 13. [al. 58.] ad Paulin. (ibid. p. 317 d.) Tunicam mutas cum animo, nec pleno marsupio gloriosas sordes appetis, &c.—Ep. 15. [al. 24.] ad Marcell. de Laud. Asellæ. (ibid. 127 d.) Tunica fusciore induta [al. tunicam fusciorem induta] se repente Dominæ consecravit.

[39] Ep. 22. ad Eustoch. c. 12. [al. 27.] (ibid. p. 110 b.) Sunt quæ ciliciis vestiuntur et cucullis fabrefactis: ut ad infantiam redeant, imitantur noctuas et bubones.

[40] Ibid. paul. ant. (p. 109 d.) Vestis sit nec satis munda, nec sordida, et nulla diversitate notabilis: ne ad te obviam prætereuntium turba consistat, aut [al. et] digito demonstreris.

[41] Hist. Lausiac. c. 52. (ap. Bibl. Patr. Gr.-Lat. t. 2. p. 985 c. 4.) Ἐμέμφετο δὲ πολλὰ τοὺς τὰ σιδηρᾶ φέροντας καὶ τοὺς κομῶντας· οὗτοι γὰρ ἐνδεικνύουσί, φησι, καὶ ἀνθρωπαρέσκειαν θηρῶσι· δέον αὐτοὺς μᾶλλον νηστείαις ἐκλύειν τὸ σῶμα, καὶ ἐν κρυπτῷ τὸ καλὸν πράττειν· οἱ δὲ οὐ τοῦτο, ἀλλὰ πᾶσιν ἑαυτοὺς φανεροὺς καθιστῶσι.

because they, literally interpreting that saying of our Saviour, "he, that taketh not up his cross and followeth me, is not worthy of me," made themselves wooden crosses, and carried them continually about their necks; which, as he rightly observes[42], 'was not to edify, but raise the laughter of all spectators.' Such affectations were generally condemned by the Ancients, and it was only the ignorant or superstitious that approved them. So that upon the whole matter it appears that the Western monks used only a common habit, the philosophic *pallium*, which many other Christians in those times did; whence, as I have noted in another place[43], the Heathens called Christians *Greeks* and *Impostors;* and sometimes the looser sort of Christians gave monks the same name for the same reason, as St. Jerom[44] seems to intimate, when he says, 'if a man did not wear silk, he was reckoned a monk; if he did not appear in gay clothing, he was presently termed a Greek and impostor.' And Salvian[45] reflects on the African people, and especially those of Carthage, for the same treatment of them; for he says, 'they could scarce ever see a man with short hair, and a pale face, and habited in a *pallium*,' that is, a monk, 'without bestowing some reviling and reproachful language on him.' These words of Salvian I take to be an exact description of their ancient habit and tonsure.

No solemn vow or profession required of them.

7. As to any solemn vow or profession required at their admission, we find no such thing; for it was not yet the practice of those ages; but whatever was done in that kind was only a private transaction between God and themselves. St. Basil[46]

[42] Collat. 8. c. 3. (p. 336.) Quod quidam districtissimi monachorum, habentes quidem zelum Dei sed non secundum scientiam, simpliciter intelligentes, fecerunt sibi cruces ligneas, easque jugiter humeris circumferentes, non ædificationem, sed risum cunctis videntibus intulerunt.

[43] B. 1. ch. 2. s. 4. v. 1. p. 15.

[44] Ep. 23. [al. 38.] ad Marcell. (t. 1. p. 174 a.) Nos, quia serica veste non utimur, monachi judicamur. .... Si tunica non canduerit, statim illud de trivio, Impostor et Græcus est.

[45] De Gubernat. l. 8. n. 4. p. 295. (p. 181.)...Intra Africæ civitates, et maxime intra Carthaginis muros, palliatum et pallidium, et recisis comarum fluentium jubis usque ad cutem tonsum videre, tam infelix ille populus, quam infidelis, sine convicio atque execratione vix poterat.

[46] Ep. Canon. c. 19. (CC. t. 2. p. 1733 d.) Ἀνδρῶν δὲ ὁμολογίας οὐκ ἔγνωμεν, πλὴν εἰ μή τινες ἑαυτοὺς τῷ τάγματι τῶν μοναζόντων ἐγκατηρίθμησαν· οἱ κατὰ τὸ σιωπώμενον δοκοῦσι παραδεδέχθαι [al. παραδέχεσθαι] τὴν ἀγαμίαν· πλὴν καὶ ἐπ' ἐκείνων, ἐκεῖνο ἡγοῦμαι προηγεῖσθαι προσήκειν, ἐρωτᾶσθαι αὐτούς, καὶ λαμβάνεσθαι τὴν παρ' αὐτῶν ὁμολογίαν ἐναργῆ.

says plainly, 'that there was no express promise of celibacy taken of any, but they seemed only to promise it tacitly by becoming monks.' He advises, indeed, that a profession should be required of them for the future; but that implies, that as yet no such promise had been exacted before. There were some monks that lived in a married state, as appears from what has been alleged from Athanasius and St. Austin in the foregoing chapter[47]; and it is certain a promise of celibacy could not be exacted of them. And for others that lived in communities, their way of admission was not upon any explicit promise, but a triennial probation, during which time they were inured to the exercises of the monastic life in the greatest severity; and if, after that term was expired, they liked to continue the same exercises, they were then admitted without any further ceremony or solemnity into the community, to cohabit as proper members of it. This was the method prescribed by the rule of Pachomius, the father of the monks of Tabennesus, from which all others took their model, as the reader may find in Palladius[48] and Sozomen[49], where the rule is at large recited.

What meant by their renunciation of the world.

8. There was as yet no solemn vow of poverty required neither; though it was customary for men voluntarily to renounce the world by disposing of their own estates to charitable uses, before they entered into a community, where they were to enjoy all things in common. Thus Hilarion divided all his substance between his brethren and the poor, reserving nothing to himself, as St. Jerom[50] and Sozomen[51] report of him. And Paulinus, a rich senator's son, with his wife Therasia, by mutual consent disposed of both their estates, which were very great, to the poor, and then betook themselves to a monastic life at Nola, where Paulinus, after he was made bishop of the

[47] S. 6. p. 333.

[48] Hist. Lausiac. c. 38. (ap. Bibl. Patr. Gr.-Lat. t. 2. p. 956 c. 5.) Τὸν μέν τοι εἰσελθόντα εἰσάπαξ συμμεῖναι αὐτοῖς· ἐπὶ τριετίαν εἰς ἀγῶνα ἀθύτων αὐτὸν οὐ δέξῃ· ἀλλ' ἐργατικώτερα ἔργα ποιήσας, οὕτως εἰς τὸ στάδιον ἐμβαινέτω μετὰ τὴν τριετίαν.

[49] L. 3. c. 14. tot. (v. 2. pp. 110, seqq.) Ἄρξομαι δὲ ἐξ Αἰγύπτου, κ. τ. λ.

[50] Vit. Hilar. c. 3. (t. 2. p. 14 d.) Reversus est cum quibusdam monachis ad patriam, et, parentibus jam defunctis, partem substantiæ fratribus, partem pauperibus largitus est, nihil sibi omnino reservans.

[51] L. 3. c. 14. (v. 2. p. 114. 14.) Καταλαβὼν δὲ τελευτήσαντας τοὺς πατέρας εἰς τοὺς ἀδελφοὺς καὶ τοὺς θεομένους τὴν οὐσίαν διένειμεν.

place, continued the same voluntary poverty still; insomuch that St. Austin[52] says of him, 'that when the Goths were ravaging and plundering the town, he made this prayer to God; *Domine, ne excrucier propter aurum et argentum; ubi enim sint omnia mea, tu scis.—Lord, let not the barbarians torture me for my silver or gold, for thou knowest where all my treasure is.*' Such instances of voluntary poverty are everywhere obvious in ancient history. But then one thing they were very careful to avoid in those early times, that is, that when they had once renounced their own estates, they did not afterward seek to enrich themselves, or their monasteries, by begging or accepting the estates of others. It was a remarkable answer to this purpose, which Isaac Syrus, bishop of Nineveh, is said[53] to have given to his monks, when they desired him to receive some lands that were offered him for the use of his monastery; he replied, *Monachus, qui in terra possessiones quærit, monachus non est.—A monk, that seeks for possessions in the earth, is not a monk.* The Western monks were not always precise to this rule, as appears from the complaints of St. Jerom[54] and Cassian[55], and some imperial laws[56]

[52] De Civit. Dei, l. 1. c. 10. (t. 7. p. 11 d.) Unde Paulinus noster, Nolensis [al. Nolanus] episcopus, ex opulentissimo divite voluntate pauperrimus et copiosissime sanctus, quando et ipsam Nolam barbari vastaverunt, cum ab eis teneretur, sic in corde suo, ut ab eo postea cognovimus, precabatur; Domine, ne excrucier propter aurum et argentum, &c.

[53] Vid. Cave, Hist. Liter. (v. 2. p. 184.) Isaac, natione Syrus, urbis Ninives episcopus .... mihi certe in nullo magis memorabilis, quam quod monachos suos ipsum humiliter hortantes, ut in usum monasterii possessiones, quæ oblatæ erant, acciperent, simplici hoc responso refellit: *Monachus, qui in terra possessiones quærit, monachus non est.*

[54] Ep. 4. [al. 125.] ad Rustic. (t. 1. p. 937 b.) Vidi ego quosdam, qui, postquam renuntiavere sæculo, vestimentis duntaxat et vocis professione, non rebus, nihil de pristina conversatione mutarunt. Res familiaris magis aucta quam imminuta. Eadem ministeria servulorum, idem apparatus convivii. In vitro et patella fictili aurum comeditur, et inter turbas et examina ministrorum nomen sibi vendicant solitarii.— Ep. 3. [al. 60. c. 11.] ad Heliodor. (ibid. p. 337 d.) Alii... sint ditiores monachi, quam fuerant sæculares: possideant opes sub Christo paupere, quas sub locuplete Diabolo non habuerant; ut suspiret eos ecclesia divites, quos mundus antea tenuit mendicos.

[55] Instit. l. 4. c. 15. (p. 58.) Ad hæc nos miserabiles quid dicemus, qui in cœnobiis commorantes, ac sub abbatis cura et solicitudine constituti, peculiares circumferimus claves, omnique professionis nostræ verecundia et confusione calcata, etiam annulos, quibus recondita præsignemus, in digitis palam gestare nos non pudet, quibus non solum cistellæ vel sportæ, sed ne arcæ quidem vel armaria, ad ea quæ congerimus, vel quæ egressi de sæculo

made to restrain their avarice. But the monks of Egypt were generally just to their own pretensions; their monasteries had no lands or revenues belonging to them, nor would they have any, nor suffer any monk to enjoy more than was necessary for his daily subsistence. For they thought it a contradiction to their profession that men who made a show of renouncing the world should grow rich in monasteries, who perhaps were poor before they came thither. And therefore, if ever they received any donation, it was not for their own use, but the use of the poor. Nay, they would not suffer any monk to enjoy any thing to call it his own; but in a community they would have all things in common. And therefore St. Jerom[57] tells a remarkable story of one of the monks of Nitria in Egypt, how he was punished for hoarding up but an hundred shillings as his own property, which he had saved out of his daily labour. At his death, when the thing came to be discovered, a council of all the monks was called to advise what should be done with the money; and they were about five thousand who met at this consultation. Some said it should be distributed among the poor; others, that it should be given to the Church; and others, that it should be remitted to his parents. But Maca-

reservavimus, condenda sufficiunt. Quique ita nonnunquam pro vilissimis nullisque rebus accedimur, eas duntaxat velut proprias vendicantes, ut si quis vel digito quicquam ex his contrectare præsumpserit, tanta contra eum iracundia suppleamur, ut commotionem cordis nostri ne a labiis quidem ac tota corporis indignatione revocare possimus.

[56] Vid. Cod. Theod. l. 16. tit. 2. de Episc. leg. 20. (t. 6. p. 48.) Ecclesiastici, aut ex ecclesiasticis, vel qui *Continentium* se volunt nomine nuncupari, viduarum ac pupillarum domos non adeant: sed publicis exterminentur judiciis, si posthac eos ad fines earum vel propinqui putaverint deferendos. Censemus etiam, ut memorati nihil de ejus mulieris, cui se privatim sub prætextu religionis adjunxerint, liberalitate quacunque, vel extremo judicio possint adipisci: et omne in tantum inefficax sit, quod alicui horum ab his fuerit derelictum, ut nec per subjectam personam valeant aliquid, vel donatione, vel testamento, percipere.

[57] Ep. 22. ad Eustoch. c. 14. [al. 33.] (t. 1. p. 116 b.) Quod ante non plures annos Nitriæ gestum sit, referamus. Quidam ex fratribus parcior magis quam avarior, et nesciens triginta argenteis Dominum venditum, centum solidos, quos lino texendo acquisierat, moriens dereliquit. Initum est inter monachos consilium, (nam in eodem loco circiter quinque millia divisis cellulis habitabant,) quid [hinc] facto opus esset. Alii pauperibus distribuendos esse dicebant; alii dandos ecclesiæ; nonnulli parentibus remittendos. Macarius vero, et Pambo, et Isidorus, et cæteri quos Patres vocant, sancto in eis loquente Spiritu, decreverunt infodiendos esse cum eodem, [al. domino suo,] dicentes, *Pecunia tua tecum sit in perditionem!*

rius, and Pambo, and Isidore, and the rest of those called fathers among them, decreed that it should be buried with him in his grave, saying, *Thy money perish with thee!* So little regard had those ancient monks for any thing more than what was necessary for their daily sustenance!

f the difference between the nouncing nd the ommunitive life.

9. Some indeed did not thus renounce all property, but kept their estates in their own hands, and yet enjoyed no more of them than if they had actually passed them over to others; for they distributed their whole yearly revenue constantly to the poor, and such charitable uses as men's daily needs required. Of this sort Palladius[58] and Sozomen[59] mention one Apollonius, who kept his estate in his own possession, but expended the annual income in providing physic and other necessaries for the sick monks, as there was occasion. Palladius also[60] speaks of two brothers, Pacesius and Esaias, sons of a

[58] Hist. Lausiac. c. 14. (Bibl. Patr. Gr.-Lat. t. 2. p. 916 b.) Ἀπολλώνιός τις ὀνόματι ἀπὸ πραγματευτῶν ἀποταξάμενος καὶ οἰκήσας τὸ ὄρος τῆς Νιτρίας, μήτε τέχνην τὸ λοιπὸν μαθεῖν δυνάμενος, μήτε ἐπὶ ἄσκησιν γραφικὴν τῷ παραβεβηκέναι τὴν ἡλικίαν, ζήσας ἐν τῷ ὄρει εἴκοσι ἔτη, ταύτην ἔσχεν τὴν ἄσκησιν· ἐκ τῶν ἰδίων χρημάτων καὶ τῶν οἰκείων πόνων παντοία ἰατρικὰ καὶ κελλαρικὰ ἀγοράζων ἐν τῇ Ἀλεξανδρείᾳ, πάσῃ τῇ ἀδελφότητι εἰς τὰς νόσους ἐπήρκει, κ. τ. λ.

[59] L. 6. c. 29. (v. 2. p. 260. 1.) Ἀπολλώνιος δὲ, τὸν ἄλλον χρόνον ἐμπορίαν μετιὼν, ἤδη πρὸς γῆρας ἐλαύνων, ἐπὶ τὴν Σκῆτιν ἦλθε· λογισάμενος δὲ ὡς οὔτε γράφειν, οὔτε ἄλλην τινὰ τέχνην μαθεῖν οἷός τέ ἐστι διὰ τὴν ἡλικίαν, παντοδαπῶν φαρμάκων εἶδη καὶ ἐδεσμάτων ἐπιτηδείων τοῖς κάμνουσιν, ἐξ οἰκείων χρημάτων ὠνούμενος, ἀνὰ ἑκάστην θύραν μοναστικὴν περιῄει μέχρις ἐννάτης ὥρας, ἐφορῶν τοὺς νοσοῦντας· ἐπιτηδείαν δὲ ταύτην αὐτῷ τὴν ἄσκησιν εὑρὼν, ὧδε ἐπολιτεύσατο· μέλλων δὲ τελευτᾶν, ἄλλῳ παραδοὺς ἃ εἶχεν, ἐνετείλατο τὰ αὐτὰ ποιεῖν.

[60] Hist. Lausiac. c. 15. (ibid. p. 916 d.) Ἕτερός τις Πακήσιος καὶ Ἡσαΐας οὕτω καλούμενοι ἀδελφοὶ ὑπῆρχον πατρὸς ἐμπόρου Σπανοδρόμου· οἵ τινες τοῦ πατρὸς αὐτῶν τελευτήσαντος ἐμερίσαντο τὰ ὑπάρχοντα ἐν κινητοῖς, ἃ ἔσχον ἐν μὲν νομίσμασι πεντακισχιλίοις, ἐν ἱματίοις δὲ καὶ οἰκέταις τὰ εὑρεθέντα. Οὗτοι μετ' ἀλλήλων ἐσκέψαντο, καὶ συμβουλεύοντες ἑαυτοῖς ἔλεγον πρὸς ἀλλήλους, Ἐπὶ ποίαν μέθοδον ἔλθωμεν βίου, ἀδελφέ; εἰ ἐλθωμεν ἐπὶ τὴν ἐμπορίαν, ἣν μετῆλθεν ὁ πατὴρ ἡμῶν, καὶ ἡμεῖς ἑτέροις ἔχομεν καταλείψαι τοὺς πόνους ἡμῶν· ἴσως δὲ καὶ κινδύνοις περιπεσούμεθα πάντως ἢ ληστρικοῖς ἢ θαλαττίοις· δεῦρο οὖν, ἀδελφὲ, ἐπὶ τὸν μονήρη βίον ἔλθωμεν, ἵνα καὶ τὰ τοῦ πατρὸς ἡμῶν κερδήσωμεν, καὶ τὰς ψυχὰς ἡμῶν μὴ ἀπολέσωμεν. Ἤρεσεν οὖν ἀμφοτέροις ὁ σκοπὸς τοῦ μονήρους βίου· εὑρέθησαν οὖν ἄλλος κατ' ἄλλο διαφωνοῦντες· μερισάμενοι δὲ τὰ χρήματα, καὶ τὰ λοιπὰ πάντα, τοῦ μὲν σκοποῦ εἶχοντο ἕκαστος τοῦ ἀρέσαι Θεῷ, ἐνηλλαγμένῃ δὲ τῇ πολιτείᾳ. ὁ μὲν γὰρ πάντα διασκορπίσας ἔδωκεν ἀσκητηρίοις, καὶ ἐκκλησίαις, καὶ φυλακαῖς· καὶ τεχνύδριον ἔμαθεν, ὅθεν τὸν ἄρτον πορίσηται, καὶ τῇ ἀσκήσει προσέσχεν, καὶ τῇ προσευχῇ. ὁ δὲ ἕτερος τούτου μηδὲν διασκορπίσας, ἀλλὰ ποιήσας ἑαυτῷ μοναστήριον, καὶ προσλαβόμενος ἀδελφοὺς ὀλίγους, πάντα ξένον ἐδεξιοῦτο, πάντα ἄρρωστον ἐθεράπευεν, πάντα γέροντα περιεκράτει, πάντι πένητι παρεῖχεν κατὰ σάββατον καὶ κυριακὴν τρεῖς ἢ τέσ-

rich merchant, who, betaking themselves to a monastic life, disposed of their estates in these different ways; the one gave away his whole estate at once to churches and prisons, and such monasteries as needed relief, and then betaking himself to a small trade for his own subsistence, he spent the rest of his life in labour and prayer; but the other kept his estate in his own possession, and therewith first building a monastery, and taking to himself a few associates, he entertained all strangers travelling that way, took care of the sick, entertained the aged, relieved the poor, and on every Saturday and Lord's-day spread three or four tables for the refreshment of such as needed. Palladius calls this rightly *κοινωνικὸν βίον, the communicative life,* and the other *ἀποταξαμένου βίον, the life of a renouncer;* and adds[61], 'that the question being put by some brethren to Pambo, the famous Egyptian, concerning these two brothers, whether of them took the better course? he replied, they were both equally perfect and acceptable in the sight of God; the one imitating the hospitality of Abraham and the other the zeal of Elias.'

All mo ancient maintai by thei own lab

10. Hence it appears that the ancient monks had no regard to estates and possessions; for one way or other they discharged themselves of the burden of them. And then, since monasteries had no standing revenues, all monks whatever were obliged to exercise themselves in bodily labour, partly to maintain themselves without being burdensome to others, and partly to keep their souls well guarded, and as it were out of the way of Satan's strongest temptations. For Cassian[62] notes it as a very wise saying of the old Egyptian fathers, 'that a labouring monk was but tempted with one devil, but an idle one was exposed to the devastation of a legion.' And therefore

σαρας τράπεζας ἱστῶν, τοὺς λιπομένους ἐδεξιοῦτο· .... τούτῳ τῷ τρόπῳ τὸν ἑαυτοῦ βίον κατανάλωσεν.

[61] [Ibid. (p. 917 b. 4.) *Φιλονεικίας οὖν ἐμπεσούσης ἐπὶ τῇ διαφόρῳ πολιτείᾳ τούτων τῶν μακαρίων τῇ ἀδελφότητι, μάλιστα, ἐπὶ τοῖς διαφόροις ἐπαινίοις, ἀπέρχονται πρὸς τὸν μακάριον καὶ ἅγιον Παμβὼ, καὶ ἀνατίθενται αὐτῷ τὴν περὶ τούτων ἐπίκρισιν, ἀξιοῦντες μαθεῖν παρ' αὐτοῦ τὴν ἀμείνω πολιτείαν. Ὁ δὲ λέγει αὐτοῖς· Ἀμφότεροι τέλειοί εἰσι πρὸς τὸν Κύριον· ὁ μὲν γὰρ Ἀβραμιαῖον ἐξετέλεσεν ἔργον δεξιούμενος πάντας· ὁ δὲ τοῦ προφήτου Ἠλίου τὸ ἀκαμπὲς τοῦ ζήλου τῆς πρὸς Θεὸν εὐαρεστήσεως ἐνεδέξατο. Grischov.*]

[62] Instit. l. 10. c. 23. (p. 169.) Hæc est apud Ægyptum [ab] antiquis Patribus sancita [al. sancta] sententia, Operantem monachum uno dæmone pulsari; otiosum vero innumeris spiritibus devastari.

St. Jerom, writing to his friend Rusticus[63] the monk, bids him 'be sure to exercise himself in some honest labour, that the Devil might always find him employed.' 'This,' he tells him, 'was the custom of the Egyptian monasteries, to admit none without working with their own hands, as well to supply their bodily wants as to preserve their souls from danger.' They had then no idle mendicants among them, as Duarenus[64] himself rightly observes. They looked upon a monk that did not work as no better than a covetous defrauder. For so, Socrates[65] tells us, the Egyptian fathers were used to express themselves concerning such as eat other men's bread for nought. We have already heard out of Bede[66] how the monks of Bangor, two thousand in number, maintained themselves with their own labour. And Bishop Usher has collected[67] a great many other instances of the same nature, in relation to the first monasteries of Ireland and Britain. It would be endless to produce all the passages of ancient writers that relate to this matter; therefore I shall content myself to refer the reader to the places themselves, cited in the margin[68], and only observe

[63] Ep. 4. [al. 125.] ad Rustic. (t. 1. p. 933 d.) Facito aliquid operis, ut te semper Diabolus inveniat occupatum... Ægyptiorum monasteria hunc morem tenent, ut nullum absque operis labore suscipiant, non tam propter victus necessitatem quam propter animæ salutem.

[64] De Minister. et Benefic. l. 1. c. 20. (p. 23.) Nec ita otio dediti erant, more pseudo-monachorum nostri temporis.

[65] L. 4. c. 23. (v. 2. p. 238. 40.) ... Μοναχὸς, εἰ μὴ ἐργάζοιτο, ἐπίσης τῷ πλεονέκτῃ κρίνεται.

[66] See before, ch. 2. s. 13. p. 347. n. 74.

[67] Religion of the Ancient Irish, ch. 6. (Works, v. 4. p. 303.) But to leave the begging friars, &c.—See before, ch. 2. sect. 13. p. 347. n. 76.

[68] Epiphan. Hær. 80. Massal. n. 6. (t. 1. p. 1072 c.) See b. 6. ch. 4. s. 13. p. 284. n. 89.—Chrysost. de Compunct. Cord. l. 1. c. 6. (t. 1. p. 132 c.) Ὅτε καὶ πρώην ἐγὼ ἐγνώκειν, τὴν πόλιν ἀφεὶς, ἐπὶ τὰς σκηνὰς τῶν μοναχῶν ἐλθεῖν, πολὺς ἦμην τοῦτο ἐρευνῶν καὶ πολυπραγμονῶν, πόθεν ἡ τῶν ἀναγκαίων ἔσται χορηγία... εἰ μή τις ὁ εἰς ἔργον ἐμβάλλων χαλεπὸν, οἷον, σκάπτειν, ἢ ξυλοφορεῖν κελεύων, ἢ ὑδροφορεῖν, καὶ τὰ ἄλλα πάντα τὰ τοιαῦτα ὑπηρετεῖν· καὶ ὅλως, ὁ περὶ τῆς ἀναπαύσεως λόγος ἦν πολὺς ἡμῖν.—Hieron. Ep. 76. [al. 17.] ad Marc. Celedens. (t. 1. p. 43 c.) Nihil alicui præripui nihil otiosus accipio. Manu quotidie et proprio sudore quærimus cibum, scientes ab Apostolo scriptum esse, *Qui autem non operatur, nec manducet.*—Cassian. Instit. l. 10. c. 22. See n. 71, following.—Justin. Novel. 133. c. 6. (t. 5. p. 594.) Oportet enim duplex hoc opus monachis esse, aut divinis vacari Scripturis, aut quæ monachos decent, quæ vocant manuum opera, meditari et operari: mens enim frustra vacans nihil bonorum parit.—Cod. Justin. l. 11. tit. 25. de Mendicant. Valid. (p. 148. ad calc.) Cunctis, quos in publicum quæstum incerta mendicitas vocaverit, inspectis, exploretur in singulis et integritas corporum et robur annorum: atque inertibus

› thing further, that anciently monks, by the labour of their ıds, did not only provide themselves of sufficient main- ıance, but had superfluities also to relieve the necessities of ıers. Sozomen[69] says Serapion presided over a monastery ten thousand monks near Arsinoe in Egypt, who all thus ›oured with their own hands, going to reap in the fields in › time of harvest, so that they had enough and to spare for › use of the poor; which is confirmed by St. Austin[70], who, aking of the labour of the monks of his own time, assures they many times sent away whole ships laden with neces- ies, to supply the needs of such countries as were exceeding ren and poor. He means the deserts of Libya, of which ssian[71] speaks, telling us, 'that the fathers in Egypt would rer suffer their monks to receive any thing by way of main- ance from others; but they had sufficient out of their la- ır not only to entertain strangers and travellers that came visit them, but also to send abundance of provisions into the ıished parts of Libya, and to supply the wants of men in son in other places; reckoning that hereby they offered a sonable and true sacrifice to God of the fruit of their own

ıbeque ulla debilitate miserandis essitas inferatur, ut eorum qui- ı quos tenet conditio servilis, ditor studiosus et diligens do- ium consequatur: eorum vero, ıs natalium sola libertas perse- tur, colonatu perpetuo fulciatur, squis hujusmodi lenitudinem diderit ac probaverit: salva do- ıis in eos actione, qui vel late- m forte fugitivis vel mendicitatis eundæ consilium præstiterunt.— ıf. Pallad. Hist. Lausiac. cc. 7. 10. 28. 30. 39. 76. 89. 96. 112.— Mosch. Prat. Spirit. cc. 22. 114. ı. 161. 183. 194.

[69] L. 6. c. 28. (v. 2. p. 257. 17.) *σπίων περὶ τὸν Ἀρσενοίτην διέ- ῆεν, ἀμφὶ τοὺς μυρίους ὑφ' ἑαυ- ἔχων· πάντας δὲ ἦγεν ἐξ οἰκείων ὑτων τὰ ἐπιτήδεια πορίζεσθαι, καὶ ους δεομένοις χορηγεῖν· ὥρᾳ δὲ νος ἐπὶ μισθῷ ἀμῶντες ἀρκοῦντα ῖς σῖτον ἀπετίθεντο, καὶ ἄλλοις ᾳχοῖς μετεδίδουν.*

[70] De Morib. Eccles. c. 11. (t. 1. p. b.) Sane quicquid necessario victui redundat, (nam redundat plurimum ex operibus manuum et epularum restrictione,) tanta cura egentibus distribuitur, quanta non ab ipsis, qui distribuunt, comparatum est. Nullo modo namque satagunt, ut hæc sibi abundent; sed omni modo agunt, ut non apud se remaneat, quod abundaverit; usque adeo ut oneratas etiam naves in ea loca mittant, quæ inopes incolunt.

[71] Instit. l. 10. c. 22. (p. 166.) Non solum a nullo quicquam ad usum victus sui accipere patiuntur, sed etiam de laboribus suis non tantum supervenientes ac peregrinos reficiunt [fratres]; verum etiam per loca Libyæ, quæ sterilitate ac fame laborant, nec non etiam per civitates his, qui squalore carcerum contabescunt, immanem conferentes dirigunt alimoniæ victusque substantiam, de fructu manuum suarum, rationabile ac verum sacrificium Domino tali oblatione se offerre credentes.

hands by such an oblation.' It seems they did not then think that working was inconsistent with the other duties of a monk, but one necessary part of his office and station. And St. Austin wrote a whole book[72] to prove this to be their duty, wherein he takes occasion to answer all the plausible objections that have ever been made to the contrary.

Proper officers appointed in monasteries for this purpose; viz. *decani*, *centenarii*, *patres*, &c.

11. Now, the better to promote this, and all their other duties, the monasteries were commonly divided into several parts, and proper officers appointed over them. Every ten monks were subject to one, who was called the *decanus* or *dean*, from his presiding over ten; and every hundred had another officer called *centenarius*, from presiding over an hundred. Above these were the *patres*, or *fathers* of the monasteries, as St. Jerom and St. Austin commonly term them; which in other writers are called *abbates*, *abbots*, from the Greek ἀββᾶς, *a father;* and *hegumeni*, *presidents;* and *archimandrites*, from *mandra*, *a sheepfold;* they being as it were the keepers or rulers of these sacred folds in the Church. The business of the deans was to exact every man's daily task, and bring it to the *œconomus*, or *steward of the house*, who himself gave a monthly account to the father of them all, as St. Jerom[73] and St. Austin[74] inform us.

[72] De Oper. Monach. c. 17. (t. 6. p. 489 d.) Quid enim agant, qui operari corporaliter nolunt, cui rei vacent, scire desidero. Orationibus, inquiunt, et psalmis, et lectioni, et verbo Dei. Sancta plane vita et in Christi suavitate laudabilis: sed si ab his avocandi non sumus, nec manducandum est, nec ipsæ escæ quotidie præparandæ, ut possint apponi et assumi. Si autem ad ista vacare servos Dei, certis intervallis temporum, ipsius infirmitatis necessitas cogit, cur non et apostolicis præceptis observandis aliquas partes temporum deputamus? Citius enim exauditur una obedientis oratio, quam decem millia contemptoris. Cantica vero divina cantare etiam manibus operantes facile possunt, et ipsum laborem tanquam divino celeusmate consolari. An ignoramus omnes opifices, quibus vanitatibus et plerumque etiam turpitudinibus theatricarum fabularum donent corda et linguas suas, cum manus ab opere non recedant? Quid ergo impedit, servum Dei, manibus operantem, in lege Domini meditari, et psallere nomini Domini altissimi: ita sane ut ad ea discenda, quæ memoriter recolat, habeat seposita tempora? Ad hoc enim et illa bona opera fidelium subsidio supplendorum necessariorum deesse non debent, ut horæ, quibus ad erudiendum animum ita vacatur, ut illa opera corporaliter geri non possint, non opprimant egestate, &c.

[73] Ep. 22. ad Eustoch. c. 15. [al. 35.] (t. 1. p. 118 b.) Opus diei statum est, quod decano redditum, fertur ad œconomum, qui et ipse per singulos menses patri omnium cum magno tremore reddit rationem.

[74] De Morib. Eccles. c. 31. (t. 1. p. 710 e.) Operantur manibus ea, quibus et corpus pasci possit, et a Deo mens impediri non possit.

fathers were commonly of the order of presbyters, The powe of the fa- thers or abbots ver great in point of discipline over the rest.
ıe performance of divine offices and the exercise of
ımong them. And their power was very consider-
hough it was not absolute and unlimited, yet it was
never disputed by their inferiors; it being, as St.
bserves, a prime part of their confederation to obey
iors, and do whatever they commanded them. And
wilful transgression, they had power to inflict both
nd corporal punishments on them. Their spiritual
ts were the censures of the Church, suspension from
ist, and excommunication. For these powers were
their hands; as appears from several passages in
ho often speaks[76] of the abbots casting the monks
Church, and forbidding the rest to pray with them,
ad done a very submissive penance, prostrate upon
d, and had been reconciled and absolved by the
licly before all the brethren. He particularly notes
ıtius, abbot of Scethis[77], 'that he struck a monk's
of the diptychs of the Church, and could scarce be
with to let him be mentioned in the oblation for
are at rest in the Lord; because he had murdered

suum tradunt eis, quos
ınt, eo quod sint denis
t neminem illorum cura
tangat, neque in cibo,
stimento, neque si quid
est, vel quotidianæ ne-
l mutatæ, (ut assolet),
Illi autem decani cum
citudine omnia dispo-
præsto facientes quicquid
pter imbecillitatem cor-
at, traditionem [leg.? ra-
ıen etiam ipsi reddunt
patrem appellant. Hi
non solum sanctissimi
l etiam divina doctrina
mi, omnibus rebus ex-
superbia consulunt iis,
ocent magna sua in ju-
ıritate, magna illorum in
lo voluntate.
ad Eustoch. c. 15. [al.
117 b.) Prima apud eos
› est, obedire majoribus,
jusserint facere.

[76] Instit. l. 2. c. 16. (p. 27.) Sane si quis pro admisso quolibet delicto fuerit ab oratione suspensus, nullus cum eo prorsus orandi habet licentiam, antequam, submissa in terram pœnitentia, reconciliatio ejus et admissi venia coram fratribus cunctis publice fuerit ab abbate concessa. —Lib. 4. c. 16. (p. 58.) ... Tamdiu prostratus in terram veniam postulabit, donec orationum consummetur solemnitas, impetraturus eam, cum jussis fuerit abbatis judicio de solo surgere. — Vid. ibid. c. 20. (p. 62.) In septimana cujusdam fratris, &c.—It. Collat. 18. c. 15. (p. 527.) See the latter part of the chapter.

[77] Collat. 2. c. 5. (p. 240.) ... Vix a presbytero abbate Paphnutio potuit obtineri, ut non, inter biothanatos reputatus, etiam memoria et oblatione pausantium judicaretur indignus.

himself at the instigation of Satan, who appeared to him in the form of an angel of light, persuading him to throw himself into a deep well, with confidence that no harm could befall him for the great merit of his labours and virtues.' Socrates[78] speaks of the like power in Arsenius, who used it, he says, with this discretion, that 'he never excommunicated the junior monks, but only the seniors, because the juniors were likely to become more refractory by it, and contemn his discipline; but the seniors were quickly amended by it.' The reader may find some other instances in Palladius[79] to the same purpose.

As to their corporal punishments, Cassian[80] tells us they were these two, whipping and expulsion; and he particularly enumerates the crimes for which they were inflicted. Palladius also mentions the *flagellum monachorum:* for he says[81] in the church of Mount Nitria there were three whips hanged upon three palm-trees; one for the offending monks, another for the correcting of thieves, and a third for the punishment

[78] L. 4. c. 23. (v. 2. p. 238. 4.) Ἀρσήνιος ἄλλος τοὺς τῶν νέων πταίσαντας οὐκ ἀφώριζεν, ἀλλὰ τοὺς προκόψαντας· λέγων, ὅτι ὁ νέος ἀφορισθεὶς καταφροτητὴς γίνεται· ὁ δὲ προκόψας τῆς ἐκ τοῦ ἀφορισμοῦ ὀδύνης ταχεῖαν λαμβάνει τὴν αἴσθησιν.

[79] Hist. Lausiac. c. 40. (ap. Bibl. Patr. Gr.-Lat. t. 2. p. 958 b.) Ἐν τούτῳ μοναστηρίῳ τῶν γυναικῶν συνέβη πρᾶγμα τοιοῦτον. Ῥάπτης κοσμικὸς περάσας κατ' ἄγνοιαν ἐζήτει ἔργον· ἐξελθοῦσα δὲ μία νεωτέρα τῶν παρθένων λόγῳ ἑαυτῆς, (ἔρημος γάρ ἐστιν ὁ τόπος,) συνέτυχεν αὐτῷ ἀκουσίως, καὶ δέδωκεν αὐτῷ τὴν ἀπόκρισιν, Ὅτι ἡμεῖς ἔχομεν ῥάπτας ἡμετέρους. Ἄλλη ἐωρακυῖα τὴν συντυχίαν ταύτην, χρόνου παρελθόντος, γενομένης μάχης, ἐξ ὑποβολῆς τοῦ Διαβόλου, ἀπὸ πολλῆς πονηρίας καὶ ζέσεως θυμοῦ ἐσυκοφάντησεν ταύτην ἐπὶ τῆς ἀδελφότητος διὰ τὴν συντυχίαν· ἣ συνέδραμον ὀλίγαι οὐ πολλῇ κακίᾳ φερόμεναι. Ἀπολυπηθεῖσα δὲ ἐκείνη ὡς τοιαύτην ὑποστᾶσα συκοφαντίαν, τὴν μηδὲ εἰς ἔννοιαν αὐτῆς ἀνελθοῦσαν, καὶ μὴ ἐνεγκοῦσα τὸ πρᾶγμα ἔβαλεν ἑαυτὴν εἰς τὸν ποταμὸν λάθρα, καὶ ἐτελεύτησεν οὕτως. Εἰς συναίσθησιν δὲ ἐλθοῦσα ἡ συκοφαντήσασα, καὶ ἑωρακυῖα ὅτι ἀπὸ πονηρίας ἐσυκοφάντησεν, καὶ τοῦτο εἰργάσατο τὸ ἄλγος τῆς ἀδελφότητος, λαθοῦσα ἑαυτὴν ἀπήγξατο, καὶ αὕτη μὴ ἐνεγκοῦσα τὸ πρᾶγμα· ἐξελθόντος δὲ τοῦ πρεσβυτέρου, ἀνήγγειλαν ταῦτα αἱ λοιπαὶ παρθένοι. Ἐκέλευσεν οὖν τούτων μηδεμιᾷ προσφορὰν ἐπιτελεσθῆναι· τὰς δὲ λοιπὰς ὡς συνειδυίας καὶ μὴ εἰρηνευσάσας τὴν συκοφαντῶσαν, ἀλλὰ μᾶλλον πιστευσάσας τὰ εἰρημένα, ἑπταετίαν ἀφώρισεν, ἀκοινωνήτους ποιήσας.

[80] Collat. 2. c. 16. [corrige, Instit. l. 4. c. 16.] (p. 58.) .... Vel plagis emendantur, vel expulsione purgantur.

[81] Hist. Lausiac. c. 6. (ut supr. p. 908 d. 1.) Ἐν τῷ ὄρει τούτῳ Νιτρίας, ἐκκλησία μία ἐστὶ μεγίστη. Ἐν ταύτῃ τῇ ἐκκλησίᾳ τρεῖς φοίνικες ἱστᾶσιν, ἕκαστος ἔχων μάστιγα ἐφ' ἑαυτοῦ κρεμαμένην· καὶ ὁ μέν ἐστιν εἰς ἐπιστροφὴν τῶν μοναχῶν τῶν πταιόντων· ὁ δέ, εἰς τιμωρίαν λῃστῶν, ἐάν γε ἐμπέσωσι ποτέ· ὁ δέ, εἰς διόρθωσιν τῶν περιτυγχανόντων καὶ ἐμπεπτωκότων οἱοισδήποτε σφάλμασιν· ὡς πάντας τοὺς πταίοντας, καὶ διελεγχομένους, καὶ ὑπευθύνους πληγῶν καθεστῶτας, περιλαμβάνειν τὸν φοίνικα, καὶ λαμβάνοντας κατὰ νώτου ῥητας [πληγὰς] οὕτως ἀπολύεσθαι.

of strangers, whom they entertained in an hospital adjoining. But as yet we read nothing of voluntary whipping of themselves by way of exercise: that is a later invention of the modern monks, whom Spondanus[82] and Prateolus[83] themselves cannot forbear ranking among heretics; and a late French writer has more fully exposed them in a discourse on purpose, entitled *Historia Flagellantium*[84], to which I refer the curious reader.

13. The abbots, or fathers, were also of great repute in the Church. For many times they were called to Councils, and allowed to sit and vote there in the quality of presbyters; as Benedict, in the Council of Rome, under Boniface the Second, anno 531; which I relate upon the authority of Dr. Cave[85], who has it from Antonius Scipio, in his *Elogium Abbatum Cassinensium*. The like privilege we find allowed in the Council of Constantinople, under Flavian, anno 448, where twenty-three archimandrites subscribe with thirty bishops to the condemnation of Eutyches, as appears from the Fragments of that Council, related in the Council of Chalcedon[86]. But it is justly noted by learned men[87] as a new thing, to find abbesses, as well as abbots, subscribing in the Council of Becanfeld, in Kent, anno 694, and that before both presbyters and temporal lords, as the author of the Saxon Chronicle[88] reports it. For this is

Allowed also some peculiar privileges in the Church.

[82] Continuat. Baron. an. 1349. n. 2. (t. 1. p. 500.) .. Surrexit hoc ipso anno, et in sequentem propagata est, nova quædam secta Flagellatorum sive Flagellantium dicta, vel etiam Cruciferorum, quod et præeuntibus crucibus procederent, et cruces singuli manu gestarent, crucibusque rubris insignirentur in vestibus, caputiis et capillis a fronte et a tergo. Qui ex Hungaria ortum ducentes, brevi per totam Germaniam superiorem et inferiorem, Poloniam, Galliam, Angliam, aliasque regiones turmatim sese diffuderunt, viri pariter ac mulieres, nudis umbilico tenus corporibus, bis palam de die, sed fere histrionice, semel clam de nocte, nodosis et aculeatis funiculis ad sanguinem usque flagellantes sese et invicem, divinamque clementiam miserabilibus vocibus sua quique lingua implorantes, seseque in terram in modum crucifixi prosternentes, epistola quadam divinitus missa ad hæc se invitatos jactantes, &c.

[83] Elench. Hæreticor. l. 6. c. 8. (p. 183.) Flagellantium hæresis in Italia primum orta, &c.

[84] Paris. 1700. 8vo.

[85] Hist. Liter. (v. 1. p. 402.) anno 531. a Bonifacio II. Romam ad Synodum evocatus est; eo majorem synodo auctoritatem præsentia sua conciliaturus; quod ex Bibliothecæ Vaticanæ codice refert Antonius Scipio, monachus Cassinensis.

[86] Act. 1. (t. 4. p. 230 e. seqq.) Καὶ μετὰ τὸ ἀναγνωσθῆναι, κ. τ. λ.

[87] Cave, Hist. Liter. (v. 2. p. 240.) Decreto synodico subscribunt, idque ante presbyteros proceresque sæculares, abbatissæ; exemplo plane novo, et hactenus, quod sciam, inaudito.

[88] An. 694. (p. 48.) Ubi primum rex esset (Wihtredus, sive Withre-

the first time we meet with any such thing in the records of the ancient Church.

Yet always subordinate to the power of bishops.

14. But though such power and privileges were granted to abbots, yet neither they nor their monasteries were as yet exempt from the jurisdiction of bishops. For by the ancient laws, both ecclesiastical and civil, no monastery was to be erected in any place without the leave of the bishop of the diocese. This was one of those things which the emperor Marcian proposed to the Council of Chalcedon, and at his request it was there enacted into a canon[89], 'that no one should build either monastery or oratory without the consent of the bishop of the city or country where it was to be erected.' And by Justinian's law[90] the bishop was to make a sort of consecration of the ground, before they went to building. It is further provided in the fore-mentioned canon, 'that all monks shall be subject to the bishop of the diocese, and give attendance to their own proper duties of fasting and prayer, not intermeddling themselves either in ecclesiastical or secular affairs, except upon great and urgent necessity, and that by the permission of the bishop of the city or diocese to which they belonged.'

But I have already had occasion to speak of this matter

dus) jussit cogi magnum concilium in locum, qui dictus est Baccancelde. Ei interfuit Wihtredus, Cantwarorum rex, et Archiepiscopus Cantwarensis Brihtwaldus, et Tobias episcopus de Hroveceaster, et cum iis abbates et abbatissæ, multique viri prudentes, &c. *Gibson's Translation of the original Saxon.* [See also Spelman, t. 1. (p. 190.)

Ego Withredus, auxilio Christi, his legibus constitutis pro me et Werburga regina, itemque pro filio nostro Alirico, subscripsi.

Ego Berthuvald, gratia Dei archiepiscopus, his legibus a nobis conetitutis subscripsi.

Signum manus Ethelbarti pro se et fratre suo, Eadlerto.

Signum manus Tobiæ episcopi.

Signum manus Mildredæ, abbatissæ.

Signum manus Ethelridæ, abbatissæ.

Signum manus Aetæ, abbatissæ.

Signum manus Wilnodæ, abbatissæ.

Signum manus Herelwidæ, abbatissæ.

Signum manus Redempti, presbyteri.

Signum manus Eastwaldi, presbyteri, &c. ED.]

[89] C. 4. (t. 4. p. 758 b.) Ἔδοξεν μηδένα μηδαμοῦ οἰκοδομεῖν, μηδὲ συνιστᾶν μοναστήριον ἢ εὐκτήριον οἶκον παρὰ γνώμην τοῦ τῆς πόλεως ἐπισκόπου.

[90] Novel. 5. c. 1. (t. 5. p. 41. ad calc.) Illud igitur ante alia dicendum est, ut omni tempore, et in omni terra, si quis ædificare venerabile monasterium voluerit; non prius licentiam esse hoc agendi, quam Deo amabilem locorum episcopum advocet: et ille manus extendat ad cœlum, et per orationem locum consecret Deo, figens in eo salutis nostræ signum: .... sicque inchoet ædificium, &c.— Novel. 131. c. 7. (t. 5. p. 584.) Si quis autem voluerit fabricare venerabile oratorium, aut monasterium, præcipimus non aliter inchoandam fabricam, nisi locorum sanctissimus episcopus orationem ibi fecerit et venerabilem fixerit crucem.

more fully in another place[91]; I shall therefore here only observe two or three mistakes committed by some modern authors in their descants upon the words of Bede, which are commonly alleged to prove the contrary. In one place Bede[92], speaking of the Isle of Huy, and the monastery founded there by Columba, says, 'the island was always governed by a presbyter-abbot, under whose power the whole province, and the bishops also, were subjected, after an unusual manner, pursuant to the example of the first founder, who was not a bishop, but only a presbyter and a monk.' Carolus à Sancto Paulo[93] unluckily mistakes this island for Hibernia, and so makes all the bishops of Ireland subject to one abbot. Others mistake the province for all Scotland, and so make the same false deduction in reference to that. Whereas, in truth, Bede is speaking only of one small part of Scotland, the country of the northern Picts, who were converted by Columba, in the time of King Bridius, who gave him the Isle of Huy to build a monastery in; whence that province of the northern Picts became subject to the abbot of that monastery. But that this subjection was in spirituals, Bede says not; but it seems to have been an acknowledgment of some civil jurisdiction over the bishops, which may very well consist with their superiority in spirituals, as the learned Bishop of Worcester[94] shews at large in his Discourse of the Culdees among his Antiquities of the British Church. Another passage in Bede, which has been grossly mistaken, is where he speaks of the Council of Herudford, anno 673. In one of the Canons of this Council, according to some corrupt printed copies of Bede[95], there is this decree: 'that

[91] B. 2. ch. 4. s. 2. v. 1. p. 87.

[92] Hist. Anglor. l. 3. c. 4. See before, b. 2. ch. 4. s. 2. v. 1. p. 88. n. 50.

[93] Geogr. Sacr. l. 6. (p. 167.) Ab his obstare videtur, quantum ad Armacham Beda hæc de Hibernia scribens; Habere solet ipsa insula, &c.

[94] Bp. Lloyd's Historical Account of Church Government, ch. 7. (pp. 133, seqq.) A confutation of that opinion, that, before there were bishops in Scotland, that Church was governed by a sort of monks called *Culdees*, that were only presbyters. —See particularly at p. 180. [Comp. also Spelman, Glossar. Archaiolog. (p. 156.) where he treats of the Culdei, Colidei, Cœlibes. Ed.]

[95] Hist. Anglor. l. 4. c. 5. capitul. 5. juxt. Ed. Cantabr. 1644. per Abrah. Whelocum. (p. 273.) Ut episcopi monachi non migrent de loco ad locum, hoc est, de monasterio ad monasterium, nisi per dimissionem [al. demissionem] proprii abbatis, sed in ea permaneant obedientia, quam tempore suæ conversionis promiserunt. [So also according to the Ed. Basil. 1563. (t. 3. p. 122. 58.) and the Ed. Colon. Agripp. 1601. 12mo. (fol. 154 vers.) of the Ecclesiastical History alone. Ed.]

the bishops, who are monks, shall not wander from one monastery to another without leave of their abbot, but continue in that obedience which they promised at the time of their conversion.' But this is nothing but a mere mistake of the first editors of Bede, who, not minding the abbreviations of the manuscript, read *episcopi monachi*, instead of *ipsi monachi*, as some later editions[96] rightly have it. So that there is nothing said in this place either for the exemption of monasteries, or in derogation of the episcopal power, as some seem wilfully to have mistaken. Yet I deny not but that before this time there might be some monasteries exempt. For Habertus[97] is of opinion that the third Council of Arles, anno 455, granted an exemption to Faustus, abbot of the monastery of Lerins, which he thinks was the first that was ever granted. But from that time, the bishops of Rome took occasion to exempt monasteries in the West, as other patriarchs did in the East; whence such monasteries by the later Greeks are called *patriarchal monasteries*, as being exempt from episcopal visitations, and only subject to patriarchal jurisdiction.

The spiritual exercises of monks: first, perpetual repentance.

15. But I return to the ancient monks; and having given an account of their bodily exercises, I proceed to speak of those that were spiritual. For the improvement of the spiritual life was the thing originally aimed at by men's retiring from the world. Here they thought they should have more leisure and better opportunities for the great business of *repentance*. Upon which account the life of a monk is, by St. Jerom[98] and others, so often styled *the life of a mourner*. And in allusion to this, the Isle of Canopus, near Alexandria, formerly a place of great lewdness, was, upon the translation and settlement of the monks of Tabennesus there, called *Insula Metanœæ, the Isle of Repentance;* as may be collected from St. Jerom[99], who

[96] [Vid. Ed. Colon. Agripp. 1612. (t. 3. p. 89.)—Ed. Cantabr. cura et studio Joh. Smith, 1722. (p. 148. 21.) Ut ipsi monachi, &c.—Conf. not. in loc. (ibid.) Mira fuit hic editorum, ignorantia, dicam, an oscitantia, qui legerunt *episcopi;* unde absurdissimam dederunt eruditis controversiam, ac si in hac etiam Ecclesia, sicut in Hiiensi traditur, episcopi abbatibus obedientiam debeant. Ed.]

[97] Archierat. ad Edict. pro Archimandr. observ. 2. (p. 595.) Cæteris enim sui sunt limites: nullus Romano, qui ab Arelatensis Synodi tertiæ tempore, an. 404, in qua prima omnium exemptio monasterio Lirinensi concessa est, innumeris toto orbe monasteriis immunitatem similem concessit.

[98] Ep. 53. ad Ripar. See before, ch. 2. s. 7. p. 335. n. 31.

[99] Prolog. in Regul. Pachom. (t. 2. p. 53 b.) In monasterio Metanœæ,

peaks of its changing its name upon the building of a monas-
ery there; and so both Valesius[1] and others understand it.

16. To their extraordinary repentance they usually joined extraordinary fasting. For the Egyptian monks kept every day a fast till nine o'clock,—that is, till three in the afternoon,— except on Saturdays and the Lord's-day, and the fifty days of Pentecost, or other days when any brother came to visit them. For then they had their relaxations, as we learn from Cassian and St. Jerom. The fifty days of Pentecost they kept always festival, in compliance with the public rules and practice of the Catholic Church, whose custom was, as Tertullian[2] says, to keep all the time between Easter and Whitsuntide festival, in memory of our Saviour's resurrection. Therefore St. Jerom[3], speaking of their daily fasts, says, they fasted every day alike throughout the year, except in Lent, when their fasts were a little more strict; that is, not only till nine o'clock, but till evening; and in Pentecost, when they turned their suppers into dinners, in compliance with the custom of the Church. Cassian[4] often speaks of their daily fasts till nine; but then he excepts likewise the time of Pentecost[5], for the same reason

Secondly, extraordinary fasting.

quod de Canobo [al. Canopo] in pœnitentiam felici nominis conversione mutatum est, &c.

[1] Not. in Sozom. l. 3. c. 14. (v. 2. p. 113. n. 2.).... In Insula Canopo erat monasterium insigne Tabennesiorum. Ex quo factum est, ut Canopus, qui antea ob luxum ac delicias infamis fuerat, *Insula Metanœæ* vocaretur, translatis illuc a Theophilo vel Cyrillo monachis, qui religiosam ac pœnitentium similem vitam illic agebant.

[2] De Cor. Mil. c. 3. (p. 102 a.) Die Dominica jejunium nefas ducimus, vel de geniculis adorare. Eadem immunitate a die Paschæ in Pentecosten usque gaudemus.

[3] Ep. 22. ad Eustoch. c. 15. [al. 5.] (t. 1. p. 118 d.) Jejunium totius anni æquale est, excepta Quadragesima, in qua sola conceditur tricties vivere. A Pentecoste cœnæ mutantur in prandia, quo et traditioni ecclesiasticæ satisfiat, et venter cibo non onerent duplicato.

[4] Collat. 2. c. 25. (p. 253.).. Nonnunquam hora nona, soluta jam tatione jejunii supervenientibus fratribus, necesse est eorum obtentu aut adjici aliquid ad statutam solitamque mensuram, aut certe humanitatem, quam jubemur omnibus exhibere, penitus abdicari.—Ibid. c. 26. (p. 253.) Si vero nullus advenerit, hunc quoque velut de canonico modo debitum nobis libere præsumemus; qua parcitate nec stomachus vespere poterit aggravari; quippe hora nona uno paximacio jam præmisso; quod plerumque his, qui districtiorem abstinentiam se tenere credentes, totam refectionem ad vesperam differunt, evenire consuevit. —Ibid. 19. c. 16. (p. 542.) Hoc abbas Joannes, cum horæ nonæ refectionem imminere sensisset, collationem fine conclusit.—Ibid. 21. c. 23. (p. 568.) Ut ergo et diebus festivis statutæ consuetudo solemnitatis [al. statuta consuetudinis solemnitas] conservetur, et saluberrimus parsimoniæ modus minime transcendatur; sufficit, ut indulgentiam remissionis eo usque progredi patiamur, ut cibus, qui hora diei nona fuerat capiendus, paullo citius, id est, sexta hora, pro festivitate temporis capiatur, &c.

[5] Ibid. 21. c. 11. (p. 560.) Abbas

assigned by St. Jerom; and Saturdays and Sundays also[6], because both these days were always festival in the Eastern Church, being days of solemn assembly, on which they received the eucharist at morning service. Some indeed exercised themselves with greater austerities, fasting two, three, four, or five days together: but these were not generally approved. St. Jerom[7] and Cassian[8] both express themselves against such

Theonas cum, diebus Quinquagesimæ, nos in nostra cellula visitasset, vespertina orationum solemnitate transacta, humi paullulum considentes cœpimus diligentius percontari, cur apud eos tanta observantia caveretur, ne quis penitus totis Quinquagesimæ diebus, vel genua in oratione curvaret, vel usque ad horam nonam jejunare præsumeret, &c.—Ibid. c. 20. (p. 565.) Post ascensionem Salvatoris nostri, quæ quadragesimo resurrectionis ejus acta est die, Apostoli reversi de monte Oliveti, in quo se ad Patrem pergens præbuit intuendum, sicut etiam Actuum Apostolorum lectio contestatur, ingressi Hierosolymam, decem diebus adventum Spiritus Sancti exspectasse referuntur; quibus expletis, quinquagesimo eum die cum gaudio susceperunt, et ita est per hæc festivitatis hujus numerus evidenter impletus. Quem in Veteri quoque Testamento legimus figuraliter adumbratum, in quo, consummatis hebdomadibus septem, primitiarum panis per sacerdotes Domino jubebatur offerri, qui veracissime per Apostolorum prædicationem, qua in illo die concionati leguntur ad populum, oblatus Domino comprobatur, verus scilicet primitiarum panis, qui novæ doctrinæ institutione prolatus, quinque millibus virorum escæ suæ munere satiatis, primitivum de Judæis Christianorum populum Domino consecravit. Et idcirco hi quoque decem dies, cum superioribus quadraginta pari solemnitate sunt ac lætitia celebrandi. Cujus festivitatis traditio, per apostolicos viros ad nos usque transmissa, eodem tenore servanda est. Ideo namque in istis diebus nec [in] genua in oratione curvantur, quia inflexio genuum velut pœnitentiæ ac luctus indicium est. Unde etiam per omnia eandem in illis solemnitatem, quam die dominica, custodimus, in qua majores nostri, nec jejunium agendum, nec genu esse flectendum, ob reverentiam resurrectionis dominicæ tradiderunt.

[6] Ibid. 3. c. 1. [This reference is apparently incorrect. Compare Instit. l. 3. c. 9. (p. 45.) Ideoque et absolutio jejunii post vigiliarum laborem totidem apostolicis viris in die Sabbati statuta non immerito præsumitur per universas Orientis ecclesias, &c. See also ibid. c. 11. (p. 47.) ... Et nihilominus differentia quædam, &c. Ed.]

[7] Ep. 4. [al. 25.] ad Rustic. (t. 1. p. 937 d.) Sunt qui humore cellarum immoderatisque jejuniis, tædio solitudinis, ac nimia lectione, dum diebus ac noctibus auribus suis personant, vertuntur in melancholiam, et Hippocratis magis fomentis quam nostris monitis indigent.—Ep. 7. [al. 107.] ad Læt. (ibid. p. 680 e. ult. syll. et p. 681 a.) Displicent mihi, in teneris maxime ætatibus, longa et immoderata jejunia, in quibus junguntur hebdomades, oleum in cibo ac poma vetantur. Experimento didici, asellum in via, cum lassus fuerit, diverticula quærere..... Hoc in perpetuum jejunium sit præceptum, ut longo itineri vires perpetes superent: ne in prima mansione currentes, in mediis corruamus.

[8] Instit. l. 5. c. 9. (p. 84.) Tantum enim debet unusquisque sibi frugalitatis indicere, quantum corporeæ obluctationis pugna deposcit. Utilis quidem et omnimodis observanda est canonica jejuniorum custodia; sed nisi hanc frugi [al. temperanter] fuerit ciborum refectio subsecuta, ad integritatis calcem non poterit pervenire. Longorum namque jejuniorum inedia, saturitate corporis subsequente, lassitudinem potius tem-

immoderate fasts; and Cassian[9] particularly notes it as a wise saying of Macarius, the famous Egyptian, 'that a monk should so fast, and keep under his body, as if he were to live an hundred years; but so kill and mortify the affections of his soul, as if he were to die the next moment.' By which it appears, that they did not think excessive abstinence of any use, but rather a disservice to religion. And therefore St. Austin[10] observes, 'that the ancient rules imposed no absolute necessity in this matter upon them, but left it to every man's power and every man's will to fast at discretion; no one condemning others, that could not imitate his own austerities, but always remembering that the Scripture had, above all things, recommended charity to men.' The rule of Pachomius was said to be given him by an angel; and there one of the angel's directions to him was[11], that he should permit every man to eat, and drink, and labour according to his strength, and neither forbid them to fast nor eat. Accordingly Palladius[12] tells us, there were among his monks, in Tabennesus, some that ate at seven o'clock, others at nine, others at ten, others not till even; some after two days, others after three, four, or five days: but all was matter of choice, not compulsion.

Thirdly, extraordinary devotions.

17. Their fastings were accompanied with extraordinary and frequent returns of devotion. The monks of Palestine had six or seven canonical hours of prayer, so those in Mesopotamia,

poralem, quam puritatem castitatis acquirit. Integritas quippe mentis ventris cohæret inediæ. Non habet perpetuam castimoniæ puritatem, quisquis non jugem temperantiæ æqualitatem tenere contentus est. Quamvis districta sint jejunia, succedente superflua remissione vacuantur, et in gastrimargiæ vitium protinus collabuntur. Melior est rationabilis cum moderatione quotidiana refectio, quam per intervalla arduum longumque jejunium. Novit immoderata inedia non modo mentis labefactare constantiam, sed etiam orationum efficaciam reddere lassitudine corporis enervatam.

[9] Ibid. l. 5. c. 41. (p. 104.) Ita, inquit, debere monachum jejuniis operam dare, ut centum annis in corpore commoraturum [al. duraturum,] &c.

[10] De Morib. Eccles. c. 33. (t. 1. p. 712 b.) Atque inter hæc nemo urgetur in aspera, quæ ferre non potest; nulli quod recusat imponitur; nec ideo condemnatur a cæteris, quod in eis se imitandis fatetur invalidum, &c.

[11] Regul. ap. Pallad. Hist. Lausiac. c. 38. (ap. Bibl. Patr. Gr.-Lat. t. 2. p. 955 d. 8.) *Συγχωρήσεις ἑκάστῳ κατὰ τὴν δύναμιν φαγεῖν καὶ πιεῖν· καὶ πρὸς τὰς δυνάμεις τῶν ἐσθιόντων ἀνάλογα καὶ τὰ ἔργα αὐτῶν ἐγχείρησον, καὶ μήτε νηστεῦσαι κωλύσῃς, μήτε φαγεῖν.*

[12] Ibid. c. 39. (p. 957 d. 1.) *Εἰσὶν οὖν οἱ εἰσερχόμενοι ἄτονοι ἕκτην ὥραν, καὶ ἐσθίοντες· οἱ ἀσθενέστεροι εἰσέρχονται ὥραν ἑβδόμην, ἄλλοι ὀγδόην, ἄλλοι ἐννάτην, ἕτεροι δεκάτην, ἄλλοι ἑσπέραν βαθεῖαν· ἄλλοι διὰ δύο· ἕτεροι διὰ τριῶν· ἄλλοι διὰ πέντε.*

and other parts of the East. These were, morning prayer at the first hour of the day; then the third, sixth, and ninth hours, and after that the eleventh hour, which Cassian[13] calls the *lucernaris hora*, or *evening-prayer*. Besides which they had their constant vigils, or nocturnal meetings, of which Cassian[14] gives a particular account in one whole book of his Institutions. But, he says, the monks of Egypt were not tied to all these canonical hours, but only met twice a day for public devotion, that is, in their night assemblies, which was their morning prayer; and at nine o'clock, which was their evening prayer. But then the whole day was spent in devotion notwithstanding: for[15], in their private cells, whilst they were at work, they were always repeating the Psalms, and other parts of the Holy Scripture, and intermixing prayers and supplications continually with their labour. Which Cassian prefers before the observation of so many canonical hours, as being a more free and voluntary oblation. Some observed a course of constant devotion without intermission, as has been noted before[16] concerning the monks of Constantinople, and those of Lisieux founded by Columbanus, who were used to divide themselves into several classes or choirs, to succeed and relieve one another in their continued stations. And Cassian[17] tells us, 'that the first monks of Egypt were used to observe such a perpetual watch, to guard themselves against the assaults and incursions of midnight devils: for they durst not all betake themselves to sleep at once; but while some slept, others kept watch by

[13] Instit. l. 3. c. 3. (p. 33.) In his quoque moris etiam evangelicus ille paterfamilias opperarios conduxit in vineam suam. Ita enim et ille primo mane conduxisse describitur, quod tempus designat matutinam nostram solemnitatem: deinde tertia, inde sexta, post hæc nona, ad extremum undecima, in qua lucernaris hora signatur.

[14] Ibid. l. 2. (p. 13.) De canonico Nocturnarum Orationum et Psalmorum modo.

[15] Ibid. l. 3. c. 2. (p. 30.) Apud illos etenim hæc officia, quæ Domino solvere per distinctiones horarum et temporis intervalla cum admonitione compulsoris adigimur, per totum diei spatium jugiter cum operis adjectione spontanea celebrantur... Quamobrem exceptis vespertinis [horis] ac nocturnis congregationibus, nulla apud eos per diem publica solemnitas absque die Sabbati vel Dominica celebratur, in quibus hora tertia sacræ communionis obtentu conveniunt.

[16] See ch. 2. ss. 10 and 13. pp. 343 and 346.

[17] Collat. 7. c. 23. (p. 325.) Ita eorum [dæmonum] atrocitas grassabatur, et frequentes ac visibiles sentiebantur aggressus, ut non auderent omnes pariter noctibus obdormire, sed, vicissim aliis degustantibus somnum, alii vigilias celebrantes psalmis et orationibus seu lectionibus inhærebant.

turns, and exercised themselves in singing psalms, reading, and prayer.' Whence we may infer, that though all monks then did not observe precisely the canonical hours, yet they were no less constant to their devotions than those that did; and their intermixing prayers with their labour, or worshipping by turns, was equivalent to so many canonical hours, or rather did exceed it. St. Jerom[18] seems also to say, that the Egyptian monks had a sermon made by the abbot every day after evening prayer; for thus he describes their devotions: 'At nine o'clock they meet together, then the Psalms are sung, and the Scriptures are read; and prayers being ended, they all sit down, and the father begins to discourse to them, whom they hear with the profoundest silence and veneration. His words make a deep impression on them, their eyes overflow with tears, and the speaker's commendation is the weeping of his hearers. Yet no one's grief expresses itself in any indecent strain; but when he comes to discourse of the kingdom of Christ, and future happiness, and the glory of the world to come, then one may observe how each of them, with a moderate sigh and eyes lift up to heaven, says within himself, O! that I had wings like a dove, for then would I flee away and be at rest!' This was their continual exercise of public devotion every day. Their private vacancies and intervals of labour were also spent in reading and prayer: for they daily learned some portion of Scripture, and more especially made it their meditation on the Lord's day, as St. Jerom[19] observes of them in the forementioned place; insomuch that many of them became so expert and well versed in the Holy Scripture, that they could repeat it by heart; which is particularly noted of

[18] Ep. 22. ad Eustoch. c. 15. [al. 35.] (t. 1. p. 117 c.) Manent separati, sejunctis cellulis, usque ad horam nonam..... Post horam nonam in commune concurritur, Psalmi resonant, Scripturæ recitantur ex more: et, completis orationibus, cunctisque residentibus, medius, quem patrem vocant, incipit disputare, quo loquente tantum silentium fit, ut nemo alium respicere, nemo audeat exscreare. Dicentis laus in fletu est audientium. Tacite volvuntur per ora lacrymæ, et ne in singultus quidem erumpit dolor. Quum vero de regno Christi et de futura beatitudine et de gloria cœperit annuntiare ventura, videas cunctos moderato suspirio, et oculis ad cœlum levatis, intra se dicere: *Quis dabit mihi pennas, sicut columbæ, et volabo et requiescam.*

[19] Ibid. (p. 118 d.) Dominicis diebus orationi tantum et lectionibus vacant: quod quidem et omni tempore completis opusculis faciunt. Quotidie aliquid de Scripturis discitur.

Hilarion, by Sozomen[20] and St. Jerom[21]; and of Ammonius, Marcus Junior, Eros, Serapion, Solomon, and some others, by Palladius[22]. And by this means they were qualified to entertain their souls with spiritual exercises, singing of David's Psalms, and repeating other parts of Scripture, even at their bodily labours. Which practice is often mentioned with great commendation by Palladius[23], Cassian[24], and St. Jerom[25], who takes occasion, upon this account, to extol 'the quiet retirement of Christ's little village' of Bethlehem above the noisy pomp and ambitious greatness of Rome, where so much time was spent in seeing and being seen, in receiving visits and paying them, in praises and detractions, things disagreeable to the life of a monk. Whereas at Bethlehem 'there was nothing to be heard but psalms: one could not go into the field, but he should hear the ploughman singing his hallelujahs, the sweating mower so-

[20] L. 3. c. 14. (v. 2. p. 114. 30.) ..... Ἐπίβολος ἀκριβὴς τῶν ἱερῶν γραφῶν.

[21] Vit. Hilar. c. 7. [al. 10.] (t. 2. p. 17 a.) Scripturas quoque sanctas memoriter tenens, post orationes et psalmos, quasi Deo præsente, recitabat.

[22] Hist. Lausiac. c. 12. de Vit. Ammonii. (ap. Bibl. Patr. Gr.-Lat. t. 2. p. 914 e. 9.) ... Παλαιὰν δὲ καὶ καινὴν γραφὴν ἀπεστήθισεν.—C. 21. de Vit. Abb. Marci. (p. 932 e.) Μακάριος οὗτος νεώτερος ὢν παλαιὰν καὶ καινὴν γραφὴν ἀπεστήθισεν.—C. 32. de Vit. Eronis. (p. 950 c. 10.) Ἐκεῖνος δὲ μηδ' ὅλως γευσάμενος πεζὸς βαδίζων ἀπεστήθισεν Ψαλμοὺς δεκαπέντε, ἔπειτα τὸν Μέγαν, εἶτα τὴν πρὸς Ἑβραίους Ἐπιστολήν, εἶτα Ἡσαΐαν, καὶ μέρος Ἱερεμίου τῶν προφητειῶν, εἶτα Λουκᾶν τὸν Εὐαγγελιστήν, ἔπειτα τὰς Παροιμίας.—C. 83. de Vit. Serap. (p. 1005 d. 1.) Εὐγράμματος δὲ ὢν ἀπεστήθισεν πάσας τὰς θείας γραφάς.—C. 96. de Vit. Abb. Salom. (p. 1019 c. 3.) Ὃς ἔλεγεν ἔχειν πεντηκοστὸν ἔτος ἐν τῷ σπηλαίῳ, ἐπαρκέσας ἑαυτῷ ἐκ τῶν ἔργων τῶν χειρῶν, καὶ ἐκμαθὼν πᾶσαν ἁγίαν γραφήν.

[23] Hist. Lausiac. c. 39. (ibid. p. 957 d. 7.) Ὁ μὲν ἐργάζεται γῆν γεωργῶν· ἄλλος κῆπον, ἄλλος χαλκεῖον, ἄλλος ἀρτοκοπεῖον, ἄλλος τεκτονεῖον, ἄλλος γραφεῖον, ἄλλος βυρσεῖον, ἄλλος πλέκων σπυρίδας τὰς μεγάλας, ἄλλος τὰ λεγόμενα μαλάκια, τὰ σπυριδάλια τὰ μικρά· ἀποστηθίζουσι δὲ πάσας τὰς γραφάς.

[24] Instit. l. 11. c. 15. (p. 179.) Memini cujusdam senis, cum in eremo Scytiæ * commorarer, qui, cum ad cellam cujusdam fratris gratia visitationis adveniens ostio approximasset, audissetque eum quiddam obmurmurantem intrinsecus, paullulum substitit, cognoscere volens, quidnam de Scripturis legeret, vel, sicut est moris, operans memoriter recenseret. Cumque piissimus explorator aure diligenter applicita curiosius auscultaret, ita eum reperit hujus spiritus [κενοδοξίας] impugnatione pellectum, ut in ecclesia facere se crederet exhortatorium plebi sermonem, &c.

[25] Ep. 17. [al. 46.] ad Marcell. (t. 1. p. 206 d.) In Christi villa tuta rusticitas est. Extra Psalmos silentium est. Quocunque te verteris, arator silvam retinens Alleluia! decantat, sudans messor Psalmis se advocat, &c.

* [Or *Scythia*, or *Scethis*, and sometimes *Scythus*, or *Scytus*. See below, ch. 2. s. 8. p. 337, and ibid. p. 39. See also Ed. Cassian. ap. Bibl. Max. t. 7. p. 62 f. 2. Ed.]

lacing himself with hymns, and the vine-dresser tuning David's Psalms.'

Thus the ancient monks joined their bodily and spiritual exercises together, and made their common labour become acts of devotion to God. Their times of eating and refreshment were managed after the same manner. In some places they had the Scriptures read at table; which, Cassian[26] says, was first brought up in the monasteries of Cappadocia, to prevent idle discourse and contentions: but in Egypt they had no need of that remedy, for they were taught to eat their meat in silence. But when supper was ended, St. Jerom says[27], they sung an hymn, and so returned to their cells. St. Chrysostom[28] also takes notice of this, and recommends it to secular men, as proper for their imitation; reciting the hymn which they used, which is in these words: 'Blessed God, that hast fed me from my youth, that givest food unto all flesh, fill our hearts with joy and gladness, that we, having always what is sufficient for us, may abound unto every good work through Jesus Christ our Lord, to whom with Thee and the Holy Ghost be glory, honour, and power for ever. Amen.' 'Glory be to Thee, O Lord! Glory be to Thee, O Holy! Glory be to Thee, O King! who hast given us food for refreshment! Fill our hearts with thy Holy Spirit, that we may be found acceptable in thy sight, and not be ashamed, when thou renderest to every man according to his works!' Thus their ordinary refreshments,—that is,

[26] Instit. l. 4. c. 17. (p. 60.) Illud autem, ut reficientibus fratribus sacræ lectiones in cœnobiis recitentur, non de typo Ægyptiorum processisse, sed de Cappadocum noverimus. Quos nulli dubium est, non tam spiritalis exercitationis causa, quam compescendæ superfluæ otiosæque confabulationis gratia et maxime contentionum, quæ plerumque solent in conviviis generari, hoc statuere voluisse, videntes eas aliter apud se non posse cohiberi. Apud Ægyptios enim vel maxime Tabennensiotas, tantum silentium ab omnibus exhibetur ut cum in unum tanta numerositas fratrum refectionis obtentu consederit, nullus nec mutire quidem audeat, præter eum qui suæ decaniæ [al. decimæ] præest.

[27] Ep. 22. ad Eustoch. c. 15. [al. 35.] (t. 1. p. 117 e.) Nullus in cibo strepitus, nemo comedens loquitur. ..... Dehinc consurgunt pariter, et hymno dicto ad præcepta redeunt.

[28] Hom. 56. [Bened. 55. al. 56.] in Matth. (t. 7. p. 561 a.) ..... Εὐλογητὸς ὁ Θεὸς ὁ τρέφων με ἐκ νεότητός μου, ὁ διδοὺς τροφὴν πάσῃ σαρκί. Πλήρωσον χαρᾶς καὶ εὐφροσύνης τὰς καρδίας ἡμῶν, ἵνα πάντοτε πᾶσαν αὐτάρκειαν ἔχοντες περισσεύωμεν εἰς πᾶν ἔργον ἀγαθὸν ἐν Χριστῷ Ἰησοῦ τῷ Κυρίῳ ἡμῶν, μεθ' οὗ σοὶ δόξα, τιμή, κράτος, σὺν Ἁγίῳ Πνεύματι εἰς τοὺς αἰῶνας, ἀμήν. Δόξα σοι Κύριε, δόξα σοι Ἅγιε, δόξα σοι Βασιλεῦ, ὅτι ἔδωκας ἡμῖν βρώματα εἰς εὐφροσύνην. Πλῆσον ἡμᾶς Πνεύματος Ἁγίου, ἵνα εὑρεθῶμεν ἐνώπιόν σου εὐαρεστοῦντες, καὶ μὴ αἰσχυνόμενοι, ὅτε ἀποδίδως ἑκάστῳ κατὰ τὰ ἔργα αὐτοῦ.

their suppers, for dinners, he says, they had none,—were sanctified with the word of God and prayer. And to express their humility, and avoid all contention about precedency and greatness, they served one another mutually at table, all of them taking their weekly turns; whence, in Cassian[29] and St. Jerom, they are called *hebdomadarii, weeks-men*, from their weekly service. On the Lord's-day, they were more intent upon their devotions, and spent it wholly upon reading and prayer; for no other employment, St. Jerom[30] says, was ever allowed among them on that day. Then every one received the communion, unless he was under some censure and suspension from it. And not only on Sundays, but on Saturdays also, it was customary for the Egyptian monks and others of the East to communicate: for the first and last days of the week were so appointed by Pachomius, the father of the Egyptian monks, to be communion-days among them, as appears from his Rule, in Sozomen[31] and Palladius[32]: and Cassian[33] frequently speaks of it as their constant practice. Some were more strict, and let no day pass without receiving the eucharist. Palladius[34] says the Egyptian monks, under Apollo, observed this rule: for Apollo was used to instil this notion into his disciples, that

[29] Instit. l. 4. c. 19. (p. 62.) Per eundem namque Mesopotamiam, Palæstinam, et Cappadociam, ac totum Orientem, singulis hebdomadibus vicissim fratres ad hæc officia sibi reddenda succedunt, ita ut secundum cœnobii multitudinem, ministrorum quoque numerus deputetur.—Hieron. Prolog. ad Regul. Pachom. (t. 2. p. 54 b.) [Cf. s. 2. et s. 6. (p. 55 c.) ... Per singulas hebdomadas ratiocinia operum suorum ad patrem monasterii referunt. Ed.] —Ep. 22. ad Eustoch. c. 15. [al. 35.] (t. 1. p. 117 e.) Posthæc concilium solvitur; et unaquæque decuria cum suo parente pergit ad mensam, quibus per singulas hebdomadas vicissim ministrant.

[30] Ep. 22. ad Eustoch. ut supr. (t. 1. p. 118 d.) Dominicis diebus orationi tantum et lectionibus vacant.

[31] L. 3. c. 14. (v. 2. p. 112. 20.) ... Τῇ δὲ πρώτῃ καὶ τελευταίᾳ ἡμέρᾳ τῆς ἑβδομάδας, ἐπὶ κοινωνίᾳ τῶν θείων μυστηρίων, τῷ θυσιαστηρίῳ προσιόντας, τὰς ζώνας λύειν, καὶ τὰς διφθέρας ἀποτίθεσθαι.

[32] Hist. Lausiac. c. 38. (ap. Bibl. Patr. Gr.-Lat. t. 2. p. 956 a. 2.) Εἰσιόντες εἰς τὴν κοινωνίαν τῶν μυστηρίων τοῦ Χριστοῦ κατὰ σάββατον καὶ κυριακὴν τὰς ζώνας λυέτωσαν, κ. τ. λ.

[33] Collat. 18. c. 15. (p. 528. ..... Cum duobus ferme hebdomadibus ita se omni contentioni carnis ac spiritus subjecisset, ut die sabbati vel dominico, non ad percipiendum communionem sacram, sed ad prosternendum se in limen [al. limine] ecclesiæ atque ad veniam simpliciter postulandam matutinus accurreret, &c.—Collat. 23. c. 21. (p. 606.) Nec tamen ex eo debemus nos a dominica communione suspendere quia non agnoscimus peccatores, sed ad eam magis ac magis est et propter animæ medicinam et purificationem spiritus avide festinandum.

[34] Hist. Lausiac. c. 3. (ut supr. p. 985 a. 6.) Ὅτι δεῖ εἰ δυνατὸν τοὺς μοναχοὺς καθ' ἑκάστην ἡμέραν τῶν μυστηρίων κοινωνεῖν.

a monk, if he had opportunity, ought to communicate every day; and accordingly he, with his fraternity, communicated every day at nine, or three o'clock in the afternoon, which was the time of their solemn assembly, before they went to their ordinary refreshment. Palladius[35] mentions one instance more of their devotion, which was only occasional, viz. their psalmody at the reception of any brethren; for that, it seems, was the first entertainment they gave them, to conduct them with singing of psalms to their habitation. Which has no relation to the processions of modern ages, but seems to be done in imitation of our Saviour's entrance and reception into Jerusalem.

18. These were the spiritual exercises of the ancient monks, whose life was a life of repentance, fasting, and devotion, which, joined with continual bodily labour, kept them always virtuously and honestly employed. And their laws did not allow them either to wander about as mendicants, or to interest themselves in civil or ecclesiastical offices, or any public affairs relating to Church or State. There are three canons in the Council of Chalcedon to this purpose. One[36] indifferently forbids both clergymen and monks to take to farm any estate or office, or involve themselves in secular affairs, except they be unavoidably required by the law to take upon them the guardianship of minors. Another[37] obliges monks particularly to live in their retirement, and to give themselves only to fasting and prayer, and not to leave their monasteries to engage themselves either in ecclesiastical or secular affairs, except the bishop of the city, upon some urgent occasion, permit them so to do. And a third canon[38] forbids both monks and clergy to

Of laws excluding monks from offices, ecclesiastical and civil.

[35] Ibid. (p. 984 a. 3.) Ἰδοὺ ἦκουσιν οἱ ἀδελφοί, περὶ ὧν ὁ πατὴρ πρὸ τριῶν ἡμερῶν προείρηκεν ἡμῖν, ὅτι μετὰ τρεῖς ἡμέρας ἥξουσι πρὸς ἡμᾶς τρεῖς ἀδελφοὶ ἀπὸ Ἱεροσολύμων ἐρχόμενοι· καὶ οἱ μὲν προῆγον ἡμᾶς, οἱ δὲ ἠκολούθουν ὄπισθεν ἡμῶν ψάλλοντες, ἄχρις οὗ πλησίον αὐτῶν ἐφθάσαμεν.

[36] C. 3. (t. 4. p. 755 e.) Ὥρισε τοίνυν ἡ ἁγία σύνοδος, μηδένα τοῦ λοιποῦ, μὴ ἐπίσκοπον, μὴ κληρικὸν, μὴ μονάζοντα, ἢ μισθοῦσθαι κτήματα, ἢ πράγματα, ἢ ἐπεισάγειν ἑαυτὸν κοσμικαῖς διοικήσεσι· πλὴν εἰ μή που ἐκ νόμων καλοῖτο εἰς ἀφηλίκων ἀπαραίτητον ἐπιτροπήν.

[37] C. 4. (ibid. p. 757 b.) Τοὺς δὲ καθ' ἑκάστην πόλιν καὶ χώραν μονάζοντας ὑποτετάχθαι τῷ ἐπισκόπῳ, καὶ τὴν ἡσυχίαν ἀσπάζεσθαι, καὶ προσέχειν μόνῃ τῇ νηστείᾳ καὶ τῇ προσευχῇ, ἐν οἷς τόποις ἀπετάξαντο προσκαρτεροῦντας· μήτε δὲ ἐκκλησιαστικοῖς, μήτε βιωτικοῖς παρενοχλεῖν πράγμασιν, ἢ ἐπικοινωνεῖν, καταλιμπάνοντας τὰ ἴδια μοναστήρια· εἰ μή ποτε ἄρα ἐπιτραπείεν διὰ χρείαν ἀναγκαίαν ὑπὸ τοῦ τῆς πόλεως ἐπισκόπου.

[38] C. 7. (ibid. p. 759 a.) Τοὺς ἁπαξ

take upon them any office, civil or military; anathematizing such as are guilty, and do not return to their first choice. So that monks were wholly excluded then from secular offices; and though some were called to ecclesiastical employments, yet then they were obliged to quit their monastery, and betake themselves wholly to a clerical life, only retaining so much of the former as would consist with the indispensable duties of the sacred function. Of these cases I have particularly spoken in the foregoing chapter[39]. But of monks continuing in their cloisters, and taking upon them at the same time the offices of the Church, which did not concern their own monastery, we have scarce any instance in ancient history. Pope Pelagius, as he is cited by Gratian[40], would not permit a monk to be a *defensor*, though that was but a low office in the Church, because it was contrary to the state of a monastic life, which was to be spent in retirement, prayer, and bodily labour; whereas the office of a *defensor* was wholly taken up in hearing of causes, and other acts of a public and litigious nature, which were things inconsistent with one another. Till a monk, therefore, had first bid adieu to his monastery, he was not to be promoted to any such office in the Church.

No monks anciently encroaching on the duties or rights of the secular clergy.

19. Much less were they then permitted to encroach upon the duties, or rights and privileges of the secular clergy. For we find no complaints of this nature in ancient history, as too frequently in after-ages. For the generality of monks being only laymen, and refusing any other subsistence or revenues but what arose out of their own labour, as I have fully proved before, they could have no temptation then to intermeddle either with the business and duties, or the maintenance and revenues of the clergy. And for such of them as were ordained presbyters or deacons, they were either only to serve their own monastery, or else such as were taken out of monasteries by the bishops, and thenceforth reckoned among the secular clergy

ἐν κλήρῳ κατειλεγμένους, ἢ καὶ μονάσαντας, ὡρίσαμεν, μήτε ἐπὶ στρατεῖαν, μήτε ἐπὶ ἀξίαν κοσμικὴν ἔρχεσθαι· ἢ τοῦτο τολμῶντας, καὶ μὴ μετανοοῦντας, ὥστε ἐπιστρέψαι ἐπὶ ὃ διὰ Θεὸν πρότερον εἵλοντο, ἀναθεματίζεσθαι.

[39] Ch. 3 n. 8. p. 337.

[40] Caus. 16. quæst. 1. c. 20. (t. 1. p. 1099. 13.) Omnimoda enim est illius habitus et istius officii diversitas. Illic enim quies, oratio, labor manuum: at hic causarum cognitio, conventiones, actus, publica litigia, &c.

of the Church. Valesius[41], indeed, is willing to have it thought otherwise; for he says, in the latter end of the fourth century, it was very usual for monks to perform the offices of the clergy; and he alleges for proof the example of Eusebius Vercellensis and the church of St. Austin; which I have considered before[42], and shewed that they prove no more, but that some bishops and their clergy took up a way of living in common, in imitation of the monastic life, which is nothing to monks in cloisters intruding themselves into parochial cures. The only instance, that looks any thing this way, is what Sozomen[43] relates of the church built by Rufinus, the great statesman under Arcadius, at a place called Quercus, in the suburbs of Chalcedon, where, after he had built his church, he says, he placed some monks near it, whence the clergy of the church were supplied. But this may mean no more, but that when there wanted clergy in that church they were to be chosen out of that neighbouring monastery, which indeed was then no unusual thing in the Church; but that monks living in a monastery should perform divine offices in other churches beside that of their own monastery, is not agreeable to ancient rules and practice. And therefore we meet with no instances of that kind, nor of tithes being received by monks, unless it was for the use of the poor; of which there is one instance in Cassian[44], and besides that I do not remember any other. Their way of living upon their own labour made them not solicitous to receive any thing from other men, and therefore some of them would not receive maintenance from their own parents, as Cassian[45] relates of Antonius, lest they should

[41] Not. in Sozom. l. 8. c. 17. (v. 2. p. 347. n. 3.) ..... Nemo ut novum mirari debet, quod monachi in ecclesia clericorum munus obiisse dicuntur. Id enim eo tempore usitatum fuit, ut ex Ambrosio discimus in laudatione Eusebii Vercellensis episcopi, et ex Possidio in Vita Beati Augustini ubi dicit, eum monachos intra ecclesiam instituisse.

[42] See ch. 2. s. 8. p. 341.

[43] L. 8. c. 17. (v. 2. p. 347. 22.)... Ἦκεν εἰς Δρῦν· Χαλκηδόνος δὲ προάστειον, Ῥουφίνου τοῦ ὑπατικοῦ νῦν ἐπώνυμον, ἐν ᾧ βασίλειά ἐστι, καὶ μεγάλη ἐκκλησία, ἣν αὐτὸς Ῥουφῖνος ἐπὶ τιμῇ Πέτρου καὶ Παύλου τῶν ἀποστόλων ἐδείματο, καὶ ἀποστολεῖον ἐξ αὐτῶν ὠνόμασε· πλησίον δὲ μοναχοὺς συνῴκησεν [leg.? συνώκισεν] οἱ τῆς ἐκκλησίας τὸν κλῆρον ἐπλήρουν.

[44] Collat. 21. c. 2. (p. 555.) Delector quidem, o filii, pia vestrorum munerum largitate, et devotionem hujus oblationis, cujus dispensatio mihi credita est, grataner amplector; quia fideliter primitias vestras ac decimas indigentium usibus profuturas velut sacrificium Domino bonæ suavitatis offertis, &c.

[45] Ibid. 24. c. 12. (p. 617.) Qui, inquit [Apostolus,] non operatur,

seem to live upon any thing that was not the work of their own hands.

Not allowed at first to dwell in cities, but confined to the wilderness.

20. Beside all this, there was another reason then why monks could not ordinarily attend parochial cures, had they been otherwise qualified for them. For by the laws of their first institution, in all parts of the East, their habitation was not to be in cities or places of public concourse, but in deserts and private retirements, where they might be sequestered from the noise of the world, and live in quiet and solitude, as their name seemed to imply. Whence St. Jerom[46], writing to Rusticus, the monk, inveighs against those who were desirous to live in cities, which was contrary to that singularity they made profession of. And giving instructions to Paulinus, he says[47], 'If you desire to be really what you are in name,—that is, a solitary, or one that lives alone,—what have you to do in cities, which are not habitations for solitaries, but for the multitude?' And it is observed both by him and Sozomen[48] of Antonius, 'that he was used to say, the wilderness was as natural to a monk, as water to a fish; and therefore a monk in a city was quite out of his element, like a fish upon dry land.' By which it appears, that the monastic life, in the first design, was to exclude men from having any thing to do in cities and places of public concourse. And there are laws in both the Codes to the same purpose. Theodosius[49] enacted, 'that all that made profession of the monastic life, should be obliged by the civil magistrate to betake themselves to the wilderness and deserts, as their proper habitation.' Baronius[50] by mistake reckons this

nec manducet. His Beatus Antonius adversus quendam usus verbis etiam nos magisterii sui informavit exemplo, ut parentum perniciosissima blandimenta, et omnium, qui victui necessariam submministrant agapen, etiam omnem amœnæ habitationis gratiam devitemus, &c.

[46] Ep. 4. [al. 125.] ad Rustic. (t. 1. p. 931 d.) Quid desideramus urbium frequentiam, qui de singularitate censemur?

[47] Ep. 13. [al. 58.] ad Paulin. (ibid. p. 320 d.) Sin autem cupis esse quod diceris monachus, id est solus, quid facis in urbibus, quæ utique non sunt solorum habitacula, sed multorum?

[48] L. 1. c. 13. (v. 2. p. 28. 36.) Τοὺς μὲν γὰρ ἰχθύας ἔλεγε τὴν ὑγρὰν οὐσίαν τρέφειν· μοναχοῖς δὲ κόσμον φέρειν τὴν ἔρημον· ἐπίσης τε τοὺς μὲν ξηρᾶς ἀπτομένους τὸ ζῆν ἀπολιμπάνειν, τοὺς δὲ τὴν μοναστικὴν σεμνότητα ἀπολλύειν τοῖς ἄστεσι προστόντας.

[49] Cod. l. 16. tit. 3. de Monachis, leg. 1. (t. 6. p. 96.) Quicunque sub professione monachi reperiuntur, deserta loca et vastas solitudines sequi atque habitare jubeantur.

[50] An. 390. n. 48. (t. 4. p. 642 c.) Quicunque sub professione monachi

law a [illegible] Gothofred[51] and Mr. Pagi[illegible], with better judgment, correct his error, and observe with more truth, 'that it was so far from being a punishment, that it was only obliging them to live according to the rules of their first institution.' Leo and Anthemius, and after them Justinian[53], made laws to the same purpose, forbidding the eastern monks to appear in cities; but if they had any business of concern to be transacted there, they should do it by their *apocrisiarii* or *responsales*,—that is, their *proctors* or *syndics*,—which every monastery was allowed for that purpose.

21. Not but that in some extraordinary cases they took liberty to dispense with this rule, when a just occasion required their appearance. As in times of common danger to the Faith, or great persecutions, or when it seemed necessary for them to interpose with the magistrate, and intercede for criminals in special cases. Thus St. Jerom[54] observes of Antonius, 'that he came to Alexandria at the request of Athanasius, to give testi- **What exceptions that rule admitted of.**

reperiuntur, &c. Hac statuta lege cogitur improbus heresiarcha [Jovinianus] ab urbe recedere.

[51] In Cod. Theod. l. 16. tit. 3. leg. 1. (t. 6. p. 97.) Compare the note following.

[52] Crit. in Baron. an. 390. n. 10. [al. 11.] (t. 1. p. 580.) Cæterum Lex 1. Codicis Theod. *de Monachis* lata non est occasione Jovinianistarum, qui e monasteriis ejecti in urbibus tamen cum habitu monastico vagabantur. Nam præterquam quod, ut inquit Gothofredus in hujus legis Commentario, hæc lex ad Orientem pertinet, (ubi Tatianus, cui ea inscribitur, præfectus-prætorio erat,) non agitur in ea de monasterio ejectis, verum de quibuscunque, *qui sub professione monachi reperiebantur*, id est, de omnibus, qui vitam monasticam profitebantur, interim tamen civitates frequentabant; ut ostendit lex secunda ejusdem Codicis *de Monachis*, qua post biennium memorata lex abrogatur. Quare hac lege monachi quicunque, non pœnæ loco ad deserta loca et solitudines conferre sese jubentur, ut credidit Baronius; verum pro vitæ suæ instituto eo redire. Denique pertinet hæc lex ad monachos, sive eremitas; cujusmodi in Ægypti potissimum Syriæque solitudinibus, aliisve agebant, deserta loca et vastas solitudines sequentes. Qua de re plura Gothofredus in hujus legis Commentario.

[53] Cod. l. 1. tit. 3. de Episcopis, leg. 29. (t. 4. p. 94.) Οἱ ἐν τοῖς μοναστηρίοις διατρίβοντες μὴ ἐχέτωσαν ἐξουσίαν ἐξιέναι τῶν μοναστηρίων, ἢ καὶ ἐν τῇ Ἀντιοχέων, ἢ καὶ ἐν ἑτέραις πόλεσιν ἀναστρέφεσθαι, ὑπεξαιρουμένων μόνων τῶν καλουμένων ἀποκρισιαρίων, οἷς ἄδειαν παρέχομεν ἐθέλουσι διὰ μόνας ἀναγκαίας ἀποκρίσεις ἐξιέναι.—Novel. 123. c. 42. (t. 5. p. 561.) Providere autem sanctissimos locorum episcopos, ut neque monachi, neque monachæ, circumeant civitates: sed si quod necessarium responsum habuerint per proprios responsarios [Græc. ἀποκρισιαρίων] hoc agant, in suis manentes monasteriis.

[54] Ep. 33. [al. 68.] ad Castrut. (t. 1. p. 408 c.) Beatus Antonius, quum a Sancto Athanasio, Alexandriæ episcopo, propter confutationem hæreticorum in urbem Alexandriam esset accitus, &c.

mony and countenance to the Catholic faith, and to confute the Arian heresy.' Theodoret[55] makes the like observation upon the behaviour of Aphraates and Julian, two Syrian monks, who left their cells in the desert to live in Antioch, when their presence was thought necessary to support the Catholic doctrine and its professors in the time of the Arian persecution under Valens. And of Aphraates he tells this remarkable story: 'That Valens once observing him to pass the streets in haste, though he was an old man, asked him, Whither he was going with so much speed? To whom he replied, I am going, sire, to pray for your empire. But, said Valens, it would more have become you to do that at home in your retirement, according to the laws of your solitary life. Yes, sire, said Aphraates, you say very true: I ought so to do, and I always did so, as long as my Saviour's sheep were in peace; but now that they are disquieted, and brought into great danger, very necessity compels me to take another course for their safety, that they may not be torn in pieces by wild beasts. Were I a virgin, confined to a single room, it would not become me to sit still, when I saw my father's house on fire, but to run abroad, fetch water, and extinguish the flame. Now this is our case. You, sire, have set fire to the house of our common Father, and we have

[55] L. 4. c. 26. (v. 3. p. 184. 40.) Τοῦτον [Ἀφραάτην] ἄνωθεν ἐκ τῆς βασιλείου στοᾶς διακύπτων ὁ βασιλεὺς εἶδε σισύραν τε ἀναβεβλημένον, καὶ ἐν γήρᾳ βαθεῖ συντόνως βαδίζοντα· καί τινος εἰρηκότος, ὡς Ἀφραάτης οὗτος, οὗ τὸ τῆς πόλεως ἐξήρτηται πλῆθος, ἔφη πρὸς αὐτόν· Ποῖ σὺ βαδίζεις, εἰπέ. Ὁ δὲ σοφῶς ἅμα καὶ προσφόρως, Ὑπὲρ τῆς σῆς, ἔφη, προσευξόμενος βασιλείας. Ἀλλ' οἶκοι σε μένειν χρὴ, ὁ βασιλεὺς ἔφη, καὶ ἔνδον κατὰ τὸν μοναδικὸν προσεύχεσθαι νόμον. Ὁ δὲ θεῖος ἐκεῖνος ἀνὴρ, Εὖ μάλα, ἔφη, λέγεις, ὦ βασιλεῦ· τοῦτό με δρᾶν ἔδει· καὶ τοῦτό δρῶν μέχρι καὶ νῦν διετέλεσα, ἕως εἰρήνης ἀπέλαυε τοῦ Σωτῆρος τὰ πρόβατα· ἐπειδὴ δὲ πολὺν ὑπομεμένηκε θόρυβον, καὶ πολὺς ἐπικρέμαται κίνδυνος, μὴ θηριάλωτα γένηται, πάντα κινεῖν πόρον ἀνάγκη καὶ διασώζειν τὰ θρέμματα. Εἰπέ γάρ μοι, ἔφη, ὦ βασιλεῦ, εἰ κόρη τὶς ἐτύγχανον ὤν, ἔνδον ἐν τῷ θαλάμῳ καθημένη καὶ τῆς οἰκίας ἐπιμελουμένη, εἶτ' ἐθεασάμην ἐμπεσοῦσαν φλόγα, καὶ τὴν πατρῴαν οἰκίαν ἐμπιπραμένην, τί με ταύτην δρᾶσαι προσῆκεν, εἰπέ μοι; ἔνδον καθῆσθαι καὶ τὴν οἰκίαν ἐμπιπραμένην περιορᾶν, καὶ τῆς φλογὸς προσμένειν τὴν ἐμβολήν; ἢ τῷ θαλάμῳ χαίρειν εἰποῦσαν διαθέειν ἄνω καὶ κάτω, καὶ ὑδροφορεῖν καὶ σβεννύναι τὴν φλόγα; δῆλον, ὅτι τοῦτο ἐρεῖς· τοῦτο γὰρ κόρης ἀγχίνου τε καὶ φρενήρους· τοῦτο δρῶ νῦν, ὦ βασιλεῦ· σοῦ γὰρ εἰς τὴν πατρῴαν ἡμῶν οἰκίαν ἐμβαλόντος τὴν φλόγα, περιθέομεν κατασβέσαι ταύτην πειρώμενοι.—Ibid. c. 27. (p. 186. 18.) .. Καταλιπὼν γὰρ τὴν ἔρημον ἅπαν ἐκεῖνο περιῄει τὸ ἄστυ, διδάσκων ἅπαντας, ὡς τῆς ἀποστολικῆς διδασκαλίας κήρυξ ἔστιν Ἀθανάσιος, καὶ ὡς ἀντίπαλοι τῆς ἀληθείας οἱ τῆς Ἀρείου συμμορίας. Οὕτως ᾔδεσαν οἱ θεῖοι ἄνδρες ἐκεῖνοι τὰ πρόσφορα ἑκάστῳ προσαρμόττειν καιρῷ, καὶ πηνίκα δὲ προτιμᾶν τὰς πόλεις τῆς ἐρημίας.

left our cells with no small concern, and are come abroad to put it out.' Thus bravely did Aphraates answer Valens, and apologize for his appearing in the city in the time of common danger, when Valens himself was the occasion of it.

Nor was it only in defence of religion they thus made a public appearance, but sometimes they thought it necessary to intercede with the emperors and judges for condemned criminals. As Sozomen[56] observes of Antonius, 'that he was frequently compelled, by the complaints and lamentations of the distressed, to come and interpose his good offices with the princes and magistrates for them, and as soon as he had done, he returned to the wilderness again.' The reader may find a more remarkable instance of this kind in one of St. Chrysostom's Homilies[57] to the people of Antioch, where he relates how the city was delivered from imminent ruin, (being under the displeasure of Theodosius for having demolished the imperial statues, and committing other crimes of an high nature,) by the intercession of the neighbouring monks, who left their tabernacles and caves in the mountains, and came into the city, when other philosophers for fear were fled out of it, and, interceding with the judges, prevailed with them to spare the criminals; telling

[56] L. 1. c. 13. (v. 2. p. 28. 28.) *Παροδυρόμενοι γὰρ αὐτῷ πολλοὶ ἐβιάζοντο πρεσβεύειν ὑπὲρ αὐτῶν πρὸς τοὺς ἄρχοντας καὶ τοὺς ἐν τέλει. . . . . εἰ δὲ βιασθεὶς ποτὲ εἰς πόλιν ἦλθεν ἐπικουρῆσαι δεομένοις, διαθεὶς ὅτου χάριν παρεγένοιτο, αὐτίκα ἐπὶ τὴν ἔρημον ἐπανῆει.*

[57] Hom. 17. ad Pop. Antioch. p. 215. (t. 2. p. 172 a.) *Ἔτεσι γὰρ τοσούτοις ἐν ταῖς αὐτῶν καλύβαις συγκεκλεισμένοι, οὐδενὸς παρακαλέσαντος, οὐδενὸς συμβουλεύσαντος, ἐπειδὴ τοσοῦτον νέφος εἶδον τὴν πόλιν περιϊστάμενον, καταλιπόντες αὐτῶν τὰς σκηνὰς, καὶ τὰ σπήλαια, πάντοθεν συνέρρευσαν, καθάπερ ἐξ οὐρανοῦ τινὲς ἄγγελοι παραγενόμενοι. . . . . ὅτι καὶ τοῖς ἄρχουσιν αὐτοῖς προσελθόντες μετὰ παρρησίας διαλέχθησαν ὑπὲρ τῶν ὑπευθύνων, καὶ τὸ αἷμα παρεσκευάσαντο πάντες ἐκχεῖν, καὶ τὰς κεφαλὰς ἀποθέσθαι, ὥστε τοὺς ἁλόντας τῶν προσδοκωμένων ἐξαρπάσαι δεινῶν· καὶ οὐκ ἔφησαν ἀποστήσεσθαι πρότερον, ἕως ἂν ἡ φείσωνται τοῦ δήμου τῆς πόλεως οἱ δικάζοντες, ἢ κοινῇ μετὰ τῶν ὑπευθύνων αὐτοὺς πρὸς βασιλέα πέμψωσι. Θεοφιλὴς γάρ ἐστι, φησὶν, ὁ κρατῶν τῆς καθ' ἡμᾶς οἰκουμένης, πιστὸς, ἐν εὐσεβείᾳ ζῶν· ἡμεῖς οὖν αὐτὸν καταλλάξομεν πάντως· οὐκ ἐπιτρέψομεν ὑμῖν, οὐδὲ συγχωρήσομεν αἱμάξαι ξίφος, οὐδὲ ἀποτεμεῖν κεφαλήν· εἰ δὲ μὴ ἀνάσχοισθε, καὶ ἡμεῖς μετ' αὐτῶν ἀποθανούμεθα πάντως· δεινὰ μὲν τὰ τετολμημένα καὶ ἡμεῖς ὁμολογοῦμεν, ἀλλ' οὐχ ὑπερβαίνει τὴν τοῦ βασιλέως φιλανθρωπίαν ἡ τῶν γεγενημένων παρανομία. Λέγεταί τις ἐξ αὐτῶν καὶ ἕτερον ῥῆμα γέμον φιλοσοφίας εἰπεῖν, ὅτι οἱ μὲν ἀνδριάντες οἱ κατενεχθέντες ἀνέστησαν πάλιν, καὶ τὸ οἰκεῖον ἀπέλαβον σχῆμα, καὶ τὸ γεγενημένον διόρθωσιν ἔσχε ταχίστην· ὑμεῖς δὲ ἂν τοῦ Θεοῦ τὴν εἰκόνα ἀποκτείνητε, πῶς δυνήσεσθε πάλιν ἀνακαλέσασθαι τὸ πεπλημμελημένον; πῶς ἀναστῆσαι τοὺς ἀπολλυμένους, καὶ τὰς ψυχὰς τοῖς σώμασιν ἀποδοῦναι;*

them, 'that the images of the Emperor might easily be restored to their pristine beauty, and be set up again; but if they slew the images of God, it would be impossible to raise them up again; since it was beyond the art of man to join body and soul together: and if they would not hearken to their intercession, they should execute them too; for if it must be so, they were resolved to die with them.' After this manner they were used to intercede with the judges for criminals in some such special cases as this before us. And they commonly did it with such prevalency, that they seldom failed in their petition, the magistracy expressing a particular reverence to them upon such occasions. But afterward, this thing grew into abuse, and they would not be content to petition, but would sometimes come in great bodies or troops,—*per drungos*,—and by force deliver criminals, after sentence of condemnation was passed upon them. To repress which tumultuous way of proceeding, Arcadius, the emperor, was forced to publish a law[58], strictly forbidding both the monks and clergy to attempt any such thing, and commanding all bishops to prosecute the authors of such disorders, if any monks happened to be so engaged in their districts, under pain of his royal displeasure.

Whether monks might betake themselves to a secular life again.

22. There remains but one inquiry more to be made concerning this order of men; which is, whether such as made profession of the monastic life were afterward at liberty to alter their state as they thought convenient, and turn seculars again? To which it may be answered, that they were under no public vow to the contrary: many men embraced the life who never intended to continue all their days in it. Julian himself was once in the monastic habit, to please his cousin Constantius, who began to suspect his inclination toward the philosophy of the Gentiles. Socrates[59] says of him, 'that he assumed the tonsure, and feigned the life of a monk in public, whilst he privately resorted to the lectures of Libanius, the sophist.' And Orosius[60] observes the same of Constans, the son

[58] Cod. Theod. l. 9. tit. 40. de Pœnis, leg. 16. (t. 3. p. 310.) Addictos supplicio ..... nulli clericorum vel monachorum, eorum etiam quos *cœnobitas* vocant, per vim atque usurpationem vindicare liceat ac tenere, &c.

[59] L. 3. c. 1. (v. 2. p. 169. 9.) ... Ἐν χρῷ τε κειράμενος τὸν τῶν μοναχῶν ὑπεκρίνετο βίον.

[60] Hist. l. 7. c. 40. (ap. Galland. t. 9. p. 154 b.) Constantinus Constantem filium suum, proh dolor! ex monacho Cæsarem factum ... in Hispanias misit.

of Constantine, who usurped the empire of Britain, in the time of Honorius, 'that he was first a monk, before his father made him Cæsar, and sent him into Spain to promote his interest there.' These men had no need of the Pope's dispensation to set them at liberty from their vow: for it does not appear they were ever under any such obligation. Monasteries were anciently schools of learning, and places of pious and religious education of youth; which, though Bellarmin[61] thinks fit to deny it, is evidently proved from St. Chrysostom's third book against the Defamers of the Monastic Life[62], which is chiefly spent in advising parents to send their children to be educated in monasteries, as the safest places of good education; not with a design to oblige them always to continue in the monastic life, but only to train them up and settle them securely in the ways of virtue. And to the same purpose it is observed by Palladius[63], that the monks of Mount Nitria had a *xenodochium*, or *hospital*, where for a week they entertained any one that came to them, without working; if he continued longer, they set him either to work at some bodily labour or to study; and, so employed, he might continue a year, or two, or three, among them, till he saw his own time to depart from them. This Palladius[64] calls ἄσκησις γραφικὴ, *the exercise of letters*, in opposition to that of bodily labour. So that men might enter a

[61] De Monachis, l. 2. c. 6. (t. 2. p. 361 a.) Secundo dicit [Melancthon] monasteria olim fuisse scholas sacrarum literarum et aliarum disciplinarum. At Basilius in Constitutionibus Monasticis, Cassianus de Institutis Cœnobiorum, Hieronymus in Epistola ad Rusticum et in alia ad Paulinum de Institutione Monachi, Augustinus, l. 1. de Moribus Ecclesiæ, c. 31, aliique Veteres, dum describunt instituta monasteriorum, meminerunt orationis, jejuniorum, psalmodiæ, continentiæ, obedientiæ, paupertatis: de scholis literarum et dialecticæ aliarumque disciplinarum ne verbum quidem.

[62] Advers. Vituperat. Vit. Monast. l. 3. t. 4. c. 11. &c. (t. 1. p. 96 c.) Πρὸς μὲν οὖν τὸν ἄπιστον ταῦτα ἀρκεῖ· πρὸς δὲ τὸν πιστὸν καὶ ταῦτα, κ. τ. λ.

[63] Hist. Lausiac. c. 6. (ut supr. t. 2. p. 908 d. 11.) Πρόσκειται τῇ ἐκκλησίᾳ ξενοδοχεῖον, εἰς ὃ τὸν ἀπελθόντα ξένον δεξιοῦνται πάντα τὸν χρόνον, κἂν ἐπὶ διετίαν ἢ τριετίαν μείναι θελήσῃ, μέχρις οὗ αὐθαίρετος ἀναχωρῆσαι θελήσῃ· συγχωρήσαντες αὐτῷ ἐπὶ ἑβδομάδα μίαν ἐν ἀργίᾳ διάξαι, τὰς λοιπὰς ἡμέρας περισπῶσιν αὐτὸν λοιπὸν ἐν ἔργοις, ἢ ἐν κήπῳ, ἢ ἐν ἀρτοκοπείῳ, ἢ ἐν μαγειρείῳ· εἰ δὲ ἀξιόλογός τις εἴη, διδόασιν αὐτῷ βιβλίον ἀναγινώσκειν.

[64] Ibid. c. 14. (p. 916 b.) Ἀπολλώνιός τις ὀνόματι ἀπὸ πραγματευτῶν, ἀποταξάμενος καὶ οἰκήσας τὸ ὄρος τῆς Νιτρίας, μήτε τέχνην τὸ λοιπὸν μαθεῖν δυνάμενος, μήτε ἐπὶ ἄσκησιν γραφικὴν, τῷ παραβεβηκέναι τὴν ἡλικίαν, ζήσας ἐν τῷ ὄρει εἴκοσι ἔτη, ταύτην ἔσχε τὴν ἄσκησιν, κ. τ. λ.

monastery for the sake of study, and leave it again when they pleased, if they laid upon themselves no further obligation.

And they who tied up themselves stricter, and entered the monastic life with a design to continue in it, were never under any vow, unless a private resolution might be esteemed such, which might be altered at pleasure, especially if any unforeseen case or accident seemed to require a change in their way of living. As Cassian[65] tells us of one in Egypt, who, despairing to obtain the gift of continency, was preparing to enter into a married state, and return to a secular life again. The Rule of Pachomius, by which the Egyptian monks were governed, has nothing of any vow at their entrance, nor any punishment for such as deserted their station afterward. And there was one piece of discipline among the Egyptians, which I have mentioned before[66], that seems plainly to intimate that they were under no solemn vow; for one of their punishments was expulsion out of the monastery, which is inconsistent with a vow of continuing in a monastery for ever. So that at first the monastic life seems to have been a matter of choice, not only at men's first entrance, but in their progress and continuance also: and men might quit it without any other punishment, unless it were a note of inconstancy fixed upon them.

arriage f monks nciently ot annul- d.

23. However, this is certain, that monks, who betook themselves to a married state, were not anciently obliged by any law to dissolve their marriage and put away their wives, under pretence of any preceding obligation, according to the new rules of the Council of Trent[67], which pronounces such marriages null and void. In St. Austin's time, some virgins and widows were under the obligation of a vow; yet, if they mar-

[65] Cassian. Collat. 2. c. 13. (p. 247.) ... Ut quia ... monachus esse non posset, nec refrænare stimulos carnis, et impugnationis remedia consequi jam valeret [al. prævaleret,] uxorem duceret, ac relicto monasterio reverteretur ad sæculum.

[66] [S. 12. p. 372. n. 80. ex Instit. l. 4. c. 16. .... Vel expulsione purgantur. Ed.]

[67] Sess. 24. c. 9. (t. 14. p. 875 c.) Si quis dixerit, clericos in sacris ordinibus constitutos, vel regulares castitatem solemniter professos, posse matrimonium contrahere, contractumque validum esse, non obstante lege ecclesiastica, vel voto; et oppositum nihil aliud esse, quam damnare matrimonium, qui non sentiunt se castitatis, etiamsi eam voverint, habere donum, anathema sit; cum Deus id recte petentibus non deneget, nec patiatur nos supra id, quod possumus tentari.

ried after that, he says[68], 'they were not to be separated from their husbands as adulteresses: for their marriage was true marriage, and not adultery, as some falsely argued.' He says, 'they offended highly in breaking their vow, but yet their marriage was valid; and in that case, to separate them from their husbands was only to make their husbands adulterers in marrying others whilst their wives were living.' By parity of reason, then, the marriages of monks must be esteemed valid also, even supposing them under an equal obligation. And upon this account we find no instances of dissolving marriage in such cases left upon record in ancient history.

What punishments ordinarily inflicted deserters

24. Yet in process of time, because monks were presumed to be under some private obligation by assuming this way of living, some punishments were thought of, as proper to be inflicted on such as relinquished their station, and returned to a secular life again. By the first Council of Orleans[69], a monk that had entered himself in a monastery, if he afterwards married a wife was for ever after incapable of holy orders, but no other censure is passed upon him. St. Austin was for inflicting the same punishment on such as left their monastery without their own bishop's leave, as appears from his letter to Aurelius[70], bishop of Carthage, upon that subject. The Civil Law likewise excludes deserters from the privilege of ordination: for by a law of Honorius[71] they were to be delivered up to the *curia*, or *civil court* of the city, there to serve all their lives; by which means they were rendered incapable of any office in the Church, because curial and clerical offices were inconsistent with one another, as has been shewed at large in another place[72]. Justinian[73] added another punishment: 'that if they

[68] De Bon. Viduitat. c. 10. (t. 6. p. 375 f.) Proinde qui dicunt talium nuptias non esse nuptias, sed potius adulteria, non mihi videntur satis acute ac diligenter considerare quid dicant: fallit eos quippe similitudo veritatis, &c.

[69] C. 23. [al. 21.] (t. 4. p. 1408 b.) Monachus in monasterio conversus, si pellici postea [al. Monachus, si in monasterio conversus, vel pallium comprobatus fuerit accepisse, et postea] vel uxori fuerit sociatus, tantæ prævaricationis reus, nunquam ecclesiastici gradus officium sortiatur.

[70] Ep. 76. [al. 60.] ad Aurel. (t. 2. p. 147 f. et 148.) Et ipsis enim facilis lapsus, et ordini clericorum fit indignissima injuria, si desertores monasteriorum ad militiam clericatus eligantur, &c.

[71] Cod. Theod. l. 16. tit. 2. de Episcopis, &c. leg. 39. (t. 6. p. 78.) .... Si qui professum sacræ religionis sponte dereliquerit, continuo sibi eum curia vindicet, &c.

[72] B. 4. ch. 4. s. 4. v. 2. p. 58.

[73] Novel. 5. c. 6. (t. 5. p. 46.) Si vero relinquens monasterium ad

were possessed of any substance, it should all be forfeited to the monastery which they deserted; while they themselves should be obliged to serve personally among the officials of the judge of the province where they lived.' For by this time monasteries began to have estates and possessions in some places, though the most exact rules of the Egyptian monks were against it. The censures of the Church were likewise inflicted on deserting monks in the fifth century. Spalatensis[74] thinks the first Council, that ever decreed excommunication against them, was the fourth Council of Toledo[75], under Honorius, anno 633. But he did not advert to a former canon of the Council of Chalcedon[76], made near two hundred years before, which decreed, 'that neither virgins consecrated to God, nor monks, should marry; and such as did so should be excommunicated; only the bishop of the place might moderate the censure:' that is, (if I rightly understand that canon, which is by some mistaken,) he might shorten the term of their penance at his discretion; which was the only way of granting indulgences in the primitive Church. And from hence again it appears, that when it was thought a crime for a monk to marry, yet they did not think it a nullity when done, or presume to void it upon that score, but only obliged him to do penance for such a term as the bishop should think fit to impose upon him. And I suppose the Canons of St. Basil[77] and

quandam veniat militiam, aut ad aliam vitæ figuram: substantia ejus etiam sic ..... in monasterio remanente, ipse inter officiales clarissimi provinciæ judicis statuetur, &c.—Cod. l. 1. tit. 3. leg. 55. s. 2. (t. 4. p. 142.) Nam si qui eorum, de quibus præsentem legem posuimus, sanctimonialem vitam elegerint, ad sæcularem autem conversationem postea remeaverint; jubemus, omnes eorum res ad jura ejusdem ecclesiæ vel monasterii, a quo recesserint, pertinere.

[74] De Republ. part. 1. l. 2. c. 12. n. 48. (p. 307 e. 6.) Postea vero monachos desertores a se penitus monachismum abdicantes cœperunt aliqui apostatas vocare, et in eos excommunicationes fulminare. Quod ego primum observo in Concilio 4. Toletano.

[75] C. 54. [al. 55.] (t. 5. p. 1718 e.) ...Qui detonsi a parentibus fuerint, aut sponte sua, amissis parentibus, se ipsos religioni devoverunt, et postea habitum sæcularem sumpserunt, et iidem a sacerdote comprehensi ad cultum religionis, acta prius pœnitentia, revocentur. Quod si reverti non possunt vere, ut apostatæ anathematis sententiæ subjiciantur.

[76] C. 16. (t. 4. p. 763 b.) *Παρθένον ἑαυτὴν ἀναθεῖσαν τῷ* [Δεσπότῃ] *Θεῷ, ὡσαύτως δὲ καὶ μονάζοντα, μὴ ἐξεῖναι γάμῳ προσομιλεῖν· εἰ δέ γε εὑρεθείεν τοῦτο ποιοῦντες, ἔστωσαν ἀκοινώνητοι· ὡρίσαμεν δὲ ἔχειν τὴν αὐθεντίαν τῆς ἐπ' αὐτοῖς φιλανθρωπίας τὸν κατὰ τόπον ἐπίσκοπον.*

[77] C. 60. [Oper. Basil. Ep. 217. Canonic. Tert.] (CC. t. 2. p. 1349 b.) *Ἡ παρθενίαν ὁμολογήσασα, καὶ ἐκπεσοῦσα τῆς ἐπαγγελίας, τὸν χρόνον τοῦ*

the Council of Trullo, which speak of a penance of seven years or more, are to be understood with this limitation.

I have now put together all that I could think material to be said upon this subject of the monastic life; and some perhaps will think I have said too much, and others too little upon it: but I content myself to have said so much as seemed necessary to my own design, which was to give an account of ancient customs, and explain several laws and rules of the Church. They, whose curiosity leads them further, may easily have recourse to Cassian's Institutions and Collations, and Palladius's Historia Lausiaca, and Theodoret's Philotheus or Religious History,—books written particularly upon this subject by professed admirers of the monastic life. My method now leads me to say something briefly of the virgins and widows, that were also reckoned among the ascetics of the Church.

CHAP. IV.

The case and state of virgins and widows in the ancient Church.

Of t tinct twee clesi and tical gins.

1. As I have shewed before that there were ascetics in the Church long before there were any monks; so it must here be noted, that there were virgins who made public and open profession of virginity before the monastic life or name was known in the world. This appears from the writings of Cyprian and Tertullian, who speak of virgins dedicating themselves to Christ, before there were any monasteries to receive them. These, for distinction's sake, are sometimes called *ecclesiastical virgins* by the writers of the following ages, Sozomen[78], and others, to distinguish them from such as embraced the monastic life, after monasteries began to multiply in the world. The ecclesiastical virgins were commonly enrolled in the canon or *matricula* of the Church,—that is, in the catalogue of ec-

ἐπὶ τῆς μοιχείας ἁμαρτήματος ἐν τῇ οἰκονομίᾳ τῆς καθ' ἑαυτὴν ζωῆς πληρώσει· τὸ αὐτὸ καὶ ἐπὶ τῶν βίον μοναζόντα ἐπαγγειλαμένων, καὶ ἐκπιπτόντων. [Labbe's reading slightly varies.]—Conf. C. Trull. c. 44. (t. 6. p. 1163 d.) *Μοναχὸς ἐπὶ πορνείᾳ ἁλοὺς, ἢ πρὸς γάμου κοινωνίαν καὶ συμβίωσιν γυναῖκα ἀγαγόμενος, τοῖς τῶν πορνευόντων ἐπιτιμίοις κατὰ τοὺς κανόνας ὑποβληθήσεται.*

[78] L. 8. c. 23. (v. 2. p. 355. 44.) *Ὑπὸ μετριότητος γὰρ τρόπων καὶ φιλοσοφίας ἀεὶ λανθάνειν ἐπετήδευεν* [Νικαρέτη], *ὡς μήτε εἰς ἀξίωμα διακόνου σπουδάσαι προελθεῖν, μήτε προτρεπομένου πολλάκις Ἰωάννου ἁλέσθαι ποτὲ παρθένων ἐκκλησιαστικῶν ἡγεῖσθαι.*

clesiastics,—as we learn from Socrates[79], who speaks of them under that title. And hence they were sometimes called *canonicæ, canonical virgins*, from their being registered in the *canon* or books of the Church. They differed from the monastic virgins chiefly in this, that they lived privately in their fathers' houses, and had their maintenance from their fathers, or in cases of necessity from the Church; but the others lived in communities, and upon their own labour, as we learn from the third Council of Carthage[80] and the writings of St. Austin[81]. Spalatensis[82] long ago observed this difference, and it is since acknowledged by Albaspinæus[83], Valesius[84], Cotelerius[85], and other learned men of the Romish Church. So that it is now out of dispute, that as the ascetics for the first three hundred years were not monks, so neither were the sacred virgins of the Church monastical virgins, or nuns confined to a cloister, as in after-ages.

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2. If it be inquired, how these were distinguished from other virgins that were merely secular?—I conceive it was by some sort of profession of their intention to continue in that state all their lives; but whether that was a solemn vow, or a simple

[79] L. 1. c. 17. (ibid. p. 47. 22.) Καὶ τὰς παρθένους τὰς ἀναγεγραμμένας ἐν τῷ τῶν ἐκκλησιῶν κανόνι, ἐπὶ ἑστίασιν προτρεπομένη, δι' ἑαυτῆς λειτουργοῦσα, τὰ ὄψα ταῖς τραπέζαις προσέφερε.

[80] C. 33. (t. 2. p. 1171 e.) Ut virgines sacræ, si [al. cum] parentibus, a quibus custodiebantur, privatæ fuerint, episcopi providentia vel presbyteri, si [al. ubi] episcopus absens est, in monasterio virginum gravioribus fœminis commendentur, &c.

[81] De Morib. Eccles. c. 31. (t. 1. p. 711 c.) Lanificio corpus exercent, atque sustentant, vestesque ipsas fratribus tradunt, ab iis invicem quod victui opus est resumentes.

[82] De Republ. l. 2. c. 11. n. 25. (t. 1. p. 336 a.) Ego invenio olim virgines Deo sacratas, et vere ac proprie virginitatem professas, etiam in propriis domibus habitasse; et nihilominus habitum monachalem gestasse, et perfecte regulas monasticas servasse.

[83] In C. Eliber. c. 13. (t. 1. p. 992 d.) Virgines, quæ Deo sese voverant, a ceteris non removebantur, aut claustris includebantur, ut ex hoc canone et in Divo Cypriano et Tertulliano de Virginibus Velandis licet colligere.

[84] In Soz. l. 8. c. 23. (v. 2. p. 355. n. 4.) Virgines ecclesiasticæ dicuntur ad distinctionem earum, quæ degebant in monasteriis, quæ monachæ dicuntur in Epistola Siricii Papæ. Hæ virgines locum separatum habebant in ecclesia, tabulis conclusum, ut docet Ambrosius in Sermone ad Virginem Lapsam. Oblationes item offerebant et communicabant seorsum a reliqua multitudine, ut colligitur ex c. 25. Concilii Triburiensis. Ecclesiasticæ porro dicebantur, eo quod ascriptæ essent albo seu matriculæ ecclesiæ; κατάλογον παρθένων, et τάγμα, vocat Basilius in Epistola Canonica ad Amphilochium.

[85] In Constit. Apost. l. 8. c. 13. See ch. 1. s. 3. p. 325. n. 88.

profession, is not agreed among learned writers. The learned editor of St. Cyprian[86] reckons they were under no obligation of any formal vow in the age of Cyprian, but yet were some way bound by the resolution and purpose of their own mind, and the public profession of virginity. And in this he seems to speak not only the common sense of Protestant writers, but the sense of that ancient author[87], who says, 'they dedicated themselves to Christ, yet so as that if either they would not, or could not persevere, it was better for them to marry than to burn,' or *to be cast into fire for their offences*, as his words may literally be translated. From whence it may be collected, that then the profession of virginity was not so strict as to make marrying after be thought a crime worthy of ecclesiastical censure.

When fi made lia to the c sures of Church f marrying against their pro fession.

3. But in the following ages the censures of the Church were inflicted on them. The Council of Ancyra[88] determined universally against all such as having professed virginity afterward went against their profession, that they should be subjected to the same term of penance as digamists were used to be; that is, a year or two, as we learn from one of the Canons of St. Basil[89]. The Council of Chalcedon[90] orders them to be excommunicated, if they married, but leaves the term of their penance to the bishop's discretion. The Council of Valence[91], in France, is still more severe, forbidding them to be admitted immediately to penance; and when they were admitted, unless they made full and reasonable satisfaction to God, their restoration to communion was still to be deferred. Now from

[86] Not. in Cypr. Ep. 4. (p. 174. n. 4.) Animi proposito et publica virginitatis professione, non voto astrictæ.

[87] Ep. 62. [al. 4.] ad Pompon. (p. 174.) Quod si ex fide se Christo dicaverunt, pudice et caste sine ulla fabula perseverent; ita fortes et stabiles præmium virginitatis expectent. Si autem perseverare nolunt, vel non possunt; melius est nubant, quam in ignem delictis suis cadant.

[88] C. 19. (t. 1. p. 1464 b.) Ὅσοι παρθενίαν ἐπαγγελλόμενοι, ἀθετοῦσι τὴν ἐπαγγελίαν, τὸν τῶν διγάμων ὁρὸν ἐκπληροῦτωσαν.

[89] C. 4. [Oper. Basil. Ep. 188. Canonic. Prim.] (CC. t. 2. p. 1721 b.) Περὶ τριγάμων καὶ πολυγάμων τὸν αὐτὸν ὥρισαν [al. ὡρίσαμεν] κανόνα, ὃν καὶ ἐπὶ τῶν διγάμων, ἀναλόγως· ἐνιαυτὸν μὲν γὰρ ἐπὶ διγάμων, ἄλλοι δὲ δύο ἔτη· τοὺς δὲ τριγάμους ἐν τρισὶ καὶ τετράσι πολλάκις ἔτεσιν ἀφορίζουσιν.

[90] C. 16. See before, ch. 3. s. 24. p. 396. n. 76.

[91] C. 2. (t. 2. p. 905 c.) De puellis vero, quæ se Deo voverunt, si ad terrenas nuptias sponte transierint, id custodiendum esse decrevimus, ut pœnitentia his non [al. nec] statim detur: et cum data fuerit, nisi plene satisfecerint Deo, in quantum ratio poposcerit, earundem communio differatur.

these canons, to mention no more, it evidently appears, that in the following ages next after the time of Cyprian,—that is, in the fourth and fifth centuries,—the censures of the Church were severer against the marriage of professed virgins than they were before; and they seem to have risen in proportion to the esteem and value which men began to set upon celibacy and the monastic life.

The marriage of professed virgins never declared null.

4. Yet two things are very observable amidst all the severity and rigour of those ages. First, that there never was any Church-decree for rescinding, or pronouncing null, such marriages. The Emperor Jovian, indeed, as Sozomen[92] relates, made it a capital crime by law for any one to commit a rape upon a devoted virgin, or so much as to solicit her to forsake her present state of life, and forego her resolution and purpose; which law is still extant in both the Codes[93]. But then, as Valesius himself[94] rightly observes, 'this law was only made against ravishers, and such as solicited those virgins to marry against their own will; but if a virgin did voluntarily quit her purpose and station, and then marry after that, there was nothing in this law to prohibit her, much less to punish her for so doing.' And for the laws of the Church, though they appointed a spiritual punishment, yet they did not cancel or disannul the act, but confirmed and ratified such marriages, though done against the rules then prevailing in the Church. Of which the testimony of St. Austin[95], alleged before in the last chapter, sect. 23, is abundant proof; not to mention the silence of all ancient laws in the case, which speak of no other punishment beside excommunication, and penance as the consequence of that, in order to be received into the communion of

[92] L. 6. c. 3. (v. 2. p. 222. 3.) Προσεφώνησε δὲ καὶ Σεκουνδῳ, τῷ τότε τὴν ὕπαρχον ἐξουσίαν διέποντι, γενικὴν νομοθεσίαν, εἰς κεφαλὴν τιμωρεῖσθαι παρακελευομένην τὸν ἱερὰν παρθένον μνᾶσθαι πρὸς γάμον πειρώμενον, ἢ καὶ ἀκολάστως μόνον προσβλέποντα, μήτι γε διαρπάζειν ἐπιχειροῦντα.

[93] Justin. l. 1. tit. 3. leg. 5. (t. 4. p. 74 ad calc. et 75.) Si quis, non dicam rapere, sed attentare tantum jungendi causa matrimonii sacratissimas virgines ausus fuerit, capitali pœna feriatur.—Theod. l. 9. tit. 25. de Rapt. Sanctimonial. leg. 2. (t. 3. p. 197.) Si quis, non dicam rapere, sed vel attentare matrimonii jungendi causa, sacratas virgines, vel invitas, ausus fuerit, capitali sententia ferietur.

[94] Not. in Sozom. l. 6. c. 3. (v. 2. p. 222. n. 1.) Lex igitur Joviani adversus raptores virginum lata est: sed si sanctimonialis relicto proposito postea nubere voluisset, non prohibebatur hac lege.

[95] De Bon. Viduitat. cc. 8, 9, 10. (t. 6. pp. 374, 375.)

the Church again. Epiphanius[96] is very express and particular in the case, 'that if any professing virginity fell from their state by fornication, they had better marry publicly according to the laws, and then submit themselves to a course of penance, in order to obtain the communion of the Church again, rather than live perpetually exposed to the secret darts of the Devil.' Which, I think, he would not have said, had it then been the custom of the Church to disannul the marriages of professed virgins, under pretence of any preceding vow or obligation.

Liberty granted by some laws to marry, if they were consecrated before the age of forty.

5. The other thing proper to be considered in this case is, that by the imperial laws great liberty and indulgence was granted to all virgins that were consecrated before the age of forty. For though some canons[97] allowed them to be consecrated at twenty-five, and others[98] at sixteen or seventeen, which were reckoned to be years of discretion, yet time quickly shewed that neither of those terms were so conveniently fixed as they might be; and therefore other canons[99] required virgins to be forty years old before they were veiled, as may be seen particularly in the French and Spanish Councils of Agde and Saragossa. And the imperial laws not only required that age in consecrated virgins, but further decreed, 'that if any virgin was veiled before that age, either by the violence or hatred of her parents, which was a case that often

[96] Hær. 61. Apostol. n. 7. (t. 1. p. 512 a, b.) *Κρεῖττον τοίνυν ἔχειν ἁμαρτίαν μίαν, καὶ μὴ περισσοτέρας· κρεῖττον πεσόντα ἀπὸ δρόμου φανερῶς ἑαυτῷ λαβεῖν γυναῖκα κατὰ νόμον, καὶ ἀπὸ παρθενίας πολλῷ χρόνῳ μετανοήσαντα εἰσαχθῆναι πάλιν εἰς τὴν ἐκκλησίαν, ὡς κακῶς ἐργασάμενον, ὡς παραπεσόντα, καὶ κλασθέντα, καὶ χρείαν ἔχοντα ἐπιδέματος, καὶ μὴ καθ' ἑκάστην ἡμέραν βέλεσι κρυφίοις κατατιτρώσκεσθαι, καὶ πονηρίας ὑπὸ διαβόλου αὐτῷ ἐπιφερομένης.*

[97] Vid. C. Carth. 3. c. 4. (t. 2. p. 1167 e.) Placuit, ut ante viginti quinque annos ætatis nec diaconi ordinentur, nec virgines consecrentur.

[98] Basil. c. 18. [Ep. 199. Canonic. Secund.] (CC. t. 2. p. 1733 b.) *Τὰς δὲ ὁμολογίας τότε ἐγκρίνομεν, ἀφ' οὗπερ ἂν ἡ ἡλικία τὴν τοῦ λόγου συμπλήρωσιν ἔχῃ· οὐδὲ γὰρ τὰς παιδικὰς φωνὰς πάντως κυρίας ἐπὶ τῶν τοιούτων ἡγεῖσθαι προσῆκεν* [al. *προσήκει*·] *ἀλλὰ τὴν ὑπὲρ τὰ δεκαεξ ἡ δεκακαιεπτὰ γενομένην ἔτη, κυρίαν οὖσαν τῶν λογισμῶν* [al. *τοῦ λογισμοῦ,*] *ἀνακριθεῖσαν ἐπὶ πλεῖον, εἶτα παραμείνασαν καὶ λιπαροῦσαν διὰ ἱκεσιῶν πρὸς τὸ παραδεχθῆναι, τότε ἐγκαταλέγεσθαι χρὴ ταῖς παρθένοις, καὶ τὴν ὁμολογίαν τῆς τοιαύτης κυροῦν, καὶ τὴν ἀθέτησιν αὐτῆς ἀπαραιτήτως κολάζειν.*

[99] Vid. C. Agathens. c. 19. (t. 4. p. 1386 c.) Sanctimoniales, quantumlibet vita earum et mores probati sint, ante annum ætatis suæ quadragesimum non velentur.—C. Cæsaraug. c. 8. (t. 2. p. 1010 d.) ... Non velandas esse virgines, quæ se Deo voverunt, nisi quadraginta annorum probata ætate, &c.

happened, she should have liberty to marry;' as appears from the Novel of Leo and Majorian[1], at the end of the Theodosian Code, which says, 'that no virgin in such circumstances should be judged sacrilegious, who, by her honest marriage, declared that either she never intended to take upon her any such vow, or at least was not able to fulfil it; forasmuch as the doctrine and institutes of the Christian religion have declared, that it is better for a virgin to marry than to burn, and forfeit her virtue by leading an unchaste life after she has made profession of virginity.' Now if these two things be rightly considered,—first, that the consecration of a virgin was not to be reputed valid till she was forty years of age; and, secondly, that if she married after her consecration at that age, yet her marriage was then reputed valid and never disannulled,—there will appear a very wide difference between the practice of the ancient Church and that of the Church of Rome in this matter. For which reason I have spoken distinctly of this profession of virgins, both to explain the nature of their vow, and shew the measures of its obligation.

Of their habit, and form, and manner of consecration.

6. As to their consecration itself, it had some things very peculiar in it. For it was usually performed publicly in the church, and that with some solemnity, by the bishop himself, or at least some presbyter particularly deputed by the bishop for that purpose. For by the ancient canons this act among others was reserved to the office of the supreme minister of the Church, and therefore a presbyter, without his commission or leave, was not to intermeddle in it. The sixth canon in the African Code[2] seems universally to prohibit presbyters these three things,—the making of chrism, the public reconciliation of penitents, and the consecration of virgins. But this last point is to be interpreted by what is said in the third Council of Carthage[3], 'that a presbyter is not to consecrate a virgin

[1] Novel. 8. ad calc. Cod. Theod. (t. 6. append. p. 36. col. dextr.) Neque enim sacrilega judicanda est, quæ se hoc ante noluisse, aut certe non posse complere appetiti conjugii honestate prodiderit; cum Christianæ religionis instituta atque doctrina melius esse censuerit virginem nubere, quam, impatientiæ ardore naturali, professæ pudicitiæ non servare virtutem.

[2] C. 6. (t. 2. p. 1051 e.) Χρίσματος ποίησις, καὶ κορῶν καθιέρωσις, ἀπὸ πρεσβυτέρων μὴ γένηται· μήτε δὲ καταλλάξαι τινὰ εἰς δημοσίαν λειτουργίαν πρεσβυτέρῳ ἐξεῖναι, τοῦτο πᾶσιν ἀρέσκει.

[3] C. 36. (ibid. p. 1172 b.) Ut

without the bishop's leave:' which implies, that he might do it by his direction; and so Ferrandus, in his Abbreviations[4], understands it. So that this was one of those things which bishops thought fit to reserve to themselves in those times, and did not allow their presbyters, without special direction, to perform it. Whence I conclude it was a thing esteemed of some weight, and the bishop's character was concerned in it, to use an exact caution in the consecrating of virgins, as St. Ambrose[5] words it, 'that nothing might be done rashly to the dishonour of the Church.'

Now when a virgin had signified her purpose to the bishop, and her desire of the usual consecration, she was wont to come and make a public profession of her resolution in the church; and then the bishop, or presbyter appointed at the altar, put upon her the accustomed habit of sacred virgins, by which they were known and distinguished from all others. The matter is thus represented by St. Ambrose, who, speaking of his sister Marcellina, who was consecrated at Rome by Liberius, says[6], that on Christmas-day, in St. Peter's church, she signified the profession of virginity by the change of her habit, Liberius making an exhortation or discourse of her, suitable to the occasion, containing the duty of virgins; which the reader may find there recorded. This *change of habit* is frequently mentioned in the ancient Councils[7], and the Civil Law[8] also takes

presbyter, inconsulto episcopo, virgines non consecret, chrisma vero nunquam conficiat.

[4] Breviat. Canon. c. 91. (ap. Justell. t. 1. p. 451.) Ut presbyter, inconsulto episcopo, virgines non consecret, chrisma vero nunquam conficiat.

[5] De Virginibus, l. 3. p. 124. [al. de Virginitate Liber, c. 7.] (t. 2. p. 223 a.) Neque ego abnuo, sacerdotalis esse cautionis debere, ut non temere puella veletur.

[6] Ibid. p. 112. [al. ut supr. c. 1.] (ibid. p. 173 b.)..... Cum in Salvatoris natali, ad Apostolum Petrum, virginitatis professionem vestis quoque mutatione signares, &c. .. Conf. Eund. ad Virg. Laps. c. 5. tot. (t. 2. p. 309 c.) Non es memorata diei sanctæ, &c.

[7] C. Carth. 4. c. 12. (t. 2. p. 1200 e.) Sanctimonialis virgo, cum ad consecrationem suo episcopo offertur, in talibus vestibus applicetur, qualibus semper usura est, professioni et sanctimoniæ aptis.—Ibid. c. 104. (p. 1207 e.) Si quæ viduæ, quantumlibet adhuc in minoribus annis positæ et matura ætate a viro relictæ, se devoverunt Domino, et veste laicali abjecta sub testimonio episcopi et ecclesiæ religioso habitu apparuerint, &c.—C. Arausic. 1. c. 27. (t. 3. p. 1451 b.) Viduitatis servandæ professionem, coram episcopo in secretario habitam, imposita ab episcopo veste viduali indicandam.

[8] Lex Arcadii in Cod. Justin. l. 1. tit. 4, de Episcopal. Audient. leg. 5. (t. 1. p. 148.) Mimæ, et quæ ludibrio corporis sui quæstum faciunt,

notice of it, forbidding all mimics and lewd women the public use of such habit as was worn by virgins consecrated to God: which implies, plainly, that such virgins were known by some particular habit peculiar to themselves. One part of this was *a veil*, called the *sacrum velamen;* whence the phrase, *velare virginem, to veil a virgin*, is the same as consecrating her to God, in some ancient[9] writers. Though I must note, that Tertullian's book *De Velandis Virginibus* is not so to be understood: for he writes, not to devoted virgins, but to all virgins in general, persuading them to use the grave habit of matrons; that is, to go veiled, according to the Apostle's direction. Whence we must say, that the veil of consecrated virgins had some note of distinction from the common veil of others, and thereupon the name of *sacred* affixed to it, because it was a token or indication of their resolution. Optatus particularly observes this of another part of their habit, which he calls their purple and golden *mitre*. He says, 'they did not use it for any sacrament or mystery, but only as a badge of distinction, and to signify to whose service they belonged, that no one might pretend to ravish, or so much as court them.' And therefore he blames[10] the Donatists for their blind and mad zeal in making the virgins of Christ do penance, and cast away their veils, and change their mitres, which were only innocent tokens of their profession. Eusebius takes notice of the same habit under the name of *coronet:* for speaking[11] of one Ennathas, a virgin of Scythopolis in Palestine, who suffered martyrdom in the Diocletian persecution, he says of her, 'that she was adorned with the coronet of virginity:' alluding to what Optatus calls their golden riband, or little mitre; unless he speaks metaphorically, and means the crown of virginity added to the crown of martyrdom in another world, of both which great

publice habitu earum virginum, quæ Deo dicatæ sunt, non utantur.—Vid. Cod. Theod. l. 16. tit. 17. leg. 12. (t. 5. p. 375.) His illud addicimus, ut mimæ, &c.

[9] Vid. Innocent. Ep. 2. ad Victric. c. 13. (CC. t. 2. p. 1252 e.) Hæ vero quæ nondum sacro velamine tectæ, &c.—Gelas. Ep. 9. ad Episc. Lucan. See n. 36, following.

[10] Cont. Parmenian. l. 6. p. 96. (p. 115.) Jam illud quam stultum, quam vanum [est]... ut virgines Dei agerent pœnitentiam discentes [al. agere pœnitentiam discerent;] ut jamdudum professæ, signa voluntatis capitibus, postea vobis jubentibus, immutarent; ut mitrellas aureas [al. mitellas alias] projicerent, alias acciperent, &c.

[11] De Martyr. Palæstin. c. 9. (v. 1. p. 424. 18.) .... Τὶς γυνὴ, παρθενίας στέμματι καὶ αὐτὴ κεκοσμημένη.

things are often said in the ancient writers. Albaspinæus[12] thinks Optatus speaks of another custom, which he says is still in use in the consecration of virgins, which is *untying the hair*, as was customary in secular marriages, in token of the woman's subjection to her husband. But Optatus's words[13] seem only to be a bare allusion to that secular custom: for the marriage of virgins to Christ was only figurative, or, as he words it, spiritual and heavenly; and consequently the custom referred to must be understood to be of the same nature,—that is, not real and proper, but figurative only; which seems to be most agreeable to the mind of the author.

Baronius[14] and Habertus[15] express themselves patrons of another custom, which began to creep in among some, but was never allowed or approved by the Catholic Church. Eustathius, the heretic, was for having all virgins *shorn* or *shaven* at their consecration. But the Council of Gangra immediately rose up against him, and anathematized the practice, passing a decree[16] in these words: 'If any woman, under pretence of an ascetic life, cut off her hair, which God hath given her for a memorial of subjection, let her be anathema, as one that disannuls the decree of subjection.' Habertus and Baronius pretend, that this decree was made only against married women and seculars, and not such as betook themselves to a monastic life: but the words of

[12] In Optat. l. 6. p. 159. (p. 116. n. n.) Sed et hodie in virginibus consecrandis hic ritus observatur.

[13] L. 6. p. 97. (p. 116.) Spiritale nubendi hoc genus est: in nuptias sponsi jam venerant voluntate et professione sua, et ut sæcularibus nuptiis se renunciasse monstrarent, spiritali sponso solverant crinem, jam cœlestes celebraverant nuptias. Quid est quod eas iterum crines solvere coegistis?

[14] An. 57. n. 93. (t. 1. p. 473 e.) In aliquibus item ecclesiis, præsertim Syriæ et Ægypti, tam virgo quam vidua, quæ se Deo vovissent et sæculum calcassent, inquit Hieronymus, crinem monasteriorum matribus offerunt desecandum, non intecto postea, contra Apostoli voluntatem, incessuræ capite; sed ligato pariter et velato .... nec id quidem, ut Vestales imitentur Romanorum virgines, quæ incisos sibi capillos ad arborem loton suspendebant: sed aliis ex causis, quæ Hieronymus recitat: immo et propter mysterium, &c.

[15] Archierat. ad Edict. pro Archimandr. observ. 7. (p. 598.) Tondentur et fœminæ, etsi olim tonderi nefas. Concilium Gangrense, can. 17: Εἴ τις γυναικῶν, κ. τ. λ. (See next note.) Sed hic canon de fœminis in sæculo et conjugio vitam agentibus intelligitur, non vero de iis, qui *τὴν μοναδικὴν ἀπόκαρσιν, tonsuram monasticam*, elegerunt.

[16] C. 17. (t. 2. p. 424 [corrige, 420] a.) Εἴ τις γυναικῶν διὰ τὴν νομιζομένην ἄσκησιν ἀποκείροιτο τὰς κόμας, ἃς ἔδωκεν ὁ Θεὸς εἰς ὑπόμνησιν τῆς ὑποταγῆς, ὡς ἀναλύουσα τὸ πρόσταγμα τῆς ὑποταγῆς, ἀνάθεμα ἔστω.

the canon are positively against such as did it upon pretence that they were entered upon an ascetic, or, as some call it, a religious life; and Valesius[17] ingenuously confesses this to be the true sense of the canon, proving hence that anciently the sacred virgins were not shaven: as neither were they in France to the time of Carolus Calvus, as he shews from other canons, citing Hugo Menardus[18] for the same opinion. But the Council of Gangra was not of sufficient force to repress this custom in all places; for in St. Jerom's time it prevailed in some monasteries of Syria and Egypt, though upon another principle,—of cleanliness, not religion,—as appears from his Epistle against Sabinian[19] the deacon. Yet it did not prevail every where in Egypt in the days of Athanasius: for Sozomen[20], giving an account of the barbarous usage which the holy virgins met

[17] In Sozom. l. 5. c. 10. (v. 2. p. 194. n. 2.) Porro sciendum est, sacras virgines olim intonsas fuisse, ut constat ex Concilio Gangrensi. Idque etiam in Gallia usitatum fuit temporibus Caroli Calvi; ut docet Canon Concilii in Verno Palatio.

[18] In Sacramentar. Greg. M. (ap. Greg. M. t. 3. part. 1. p. 442 d. 11.) Tandem virginum crines sparsi et soluti erant instar sponsarum, ut manifestum est ex eodem Optato, l. 6. *Spiritali sponso solverant crinem, jam cælestes celebraverant nuptias.* Et infra: *Invenistis igitur hujusmodi virgines, quæ jam spiritaliter nupserant; quasi secundas coegistis ad nuptias; ut crines iterum solverent, imperastis.* Nam schismatici catholicas virgines ad suas partes raptas vel allectas, pœnitentia prius imposita, iterum consecrabant. Ex hoc Optati loco manifestum est, olim virgines non fuisse tonsas, quod etiam confirmatur ex S. Ambrosio, c. 8. libr. ad Virginem Lapsam. *Amputentur crines, qui per vanam gloriam occasionem luxuriæ præstiterunt.* Ibi enim injungit Virgini Lapsæ, pœnitentiam acturæ de peccato, crinium tonsionem, juxta priscum morem; quem etiam observare est, ex l. 6. Optati, quod signum est, eam ante lapsum intonsam fuisse; et ex S. Hieronymo Epist. ad Sabinianum, ubi refert de quadam virgine Romæ professa, quæ, cum Bethlehem venisset, ut morem gentis servaret, tonsa est, crinemque amatori Sabiniano dedit. Et ex Concilio Gangrensi, can. 17. Εἴ τις γυναικῶν διὰ τὴν νομιζομένην ἄσκησιν ἀποκείροιτο τὰς κόμας, κ.τ.λ. ἀνάθεμα ἔστω, id est, Si qua mulier propter eam, quæ existimatur exercitatio, id est, ob vitam monachicam, tondeat comam, &c., excommunicetur. At contrarius usus fuit in partibus Ægypti et Syriæ; siquidem illic olim sanctimoniales, seu virgines, seu viduæ, tondebantur, ut docet S. Hieronymus Epist. citata: *Moris est Ægypti et Syriæ monasteriis, ut tam virgo, quam vidua, quæ se Deo voverint, et sæculo renuntiantes omnes delicias sæculi conculcarint, crinem monasteriorum matri offerant desecandum.* Refertque causam, ne a pediculis opprimantur, quia balnea non adeunt, nec oleo unguntur. Quod hodie apud nos observatur, etiam apud Græcos, ut scribit Theodorus Balsamon in canonem citatum.

[19] Ep. 48. [al. 147.] cont. Sabin. (t. 1. p. 1083 d.) Moris est in Ægypti et Syriæ monasteriis, &c. See the latter part of the preceding note.

[20] L. 5. c. 10. (v. 2. p. 194. 17.) Ἐμπαροινήσαντες δὲ πρότερον ᾗ ἔδόκει ... τὸ τελευταῖον ἀνέκειρον αὐτάς.

with from the heathen at Heliopolis, says, 'they added this indignity above all, that they shaved them also.' Which plainly implies that it was not then any approved custom of the Church. Nor did it ever prevail by any law: for Theodosius the Great[21] added a civil sanction to confirm the ecclesiastical decree made against it, commanding all women, that under pretence of their profession cut off their hair, to be cast out of the church, and not to be allowed to partake of the holy mysteries, or make their supplications at the altar; and further laid the penalty both of deposition and excommunication upon any bishop that should admit such women to communion. From all which it manifestly appears, that the pretended tonsure of virgins and widows was anciently no allowed custom of the Church, but rather an abuse, which both the civil and ecclesiastical laws endeavoured to correct and exterminate, however it came to prevail in the contrary practice of later ages.

The *Ordo Romanus* has also a long form of prayer, and the ceremony of *a ring* and *a bracelet* at their consecration; but the ancient Liturgies having nothing of this, their silence seems to be an argument against the antiquity of them. And lest any one should think the virgins were ordained to some special office in the Church, as the deaconesses were, it is particularly remarked by the author of the Constitutions[22], that their consecration was not an ordination, and therefore imposition of hands, for ought that I can find, was not any ancient ceremony belonging to it. I must note further, that as the society of virgins was of great esteem in the Church, so they had some particular honours paid to them.

7. Virgins and widows were commonly excused capitation-money, together with the clergy, by the imperial laws of Valentinian[23] and others. Their persons were sacred; and severe

Of some privileges bestowed them.

[21] Cod. Theod. l. 16. tit. 2. de Episc. leg. 27. (t. 6. p. 60.) Fœminæ, quæ crinem suum, contra divinas humanasque leges, instinctu persuasæ professionis abscinderint, ab ecclesiæ foribus arceantur. Non illis fas sit sacra adire mysteria, neque ullis supplicationibus mereantur veneranda omnibus altaria frequentare. Adeo quidem, ut episcopus, tonso capite fœminam si introire permiserit, dejectus loco etiam ipse cum hujusmodi contuberniis arceatur.

[22] L. 8. c. 24. (Cotel. v. 1. p. 409.) Παρθένος οὐ χειροτονεῖται, κ. τ. λ.

[23] Cod. Theod. l. 13. tit. 10. de Censu, leg. 4. (t. 5. p. 118.) In virginitate perpetua viventes et eam viduam, de qua ipsa maturitas pollicetur ætatis nulli jam eam esse nupturam, a plebeiæ capitationis in-

laws were made against any that should presume to offer the least violence to them: banishment, and proscription, and death[24], were the ordinary punishments of such offenders. Constantine paid them a particular respect, by charging his own coffers and exchequer with their maintenance; and his mother, Helena[25], was used to entertain them herself, and wait upon them at her own table. The Church gave them also a share in her own revenues, and assigned them, by way of respect, a particular place or apartment in the house of God, whither, as St. Ambrose says[26], the most noble and religious matrons were used to resort, with some earnestness, to receive their salutations and embraces. But of this I shall have occasion to discourse further in the next Book, when I come to treat of churches, and the distinct places of every order in them.

Of the name *vovìs* and *nonna*, and its signification.

8. I have but one thing more to observe, which relates to an ancient name of these virgins, *vovìs* and *nonnæ*, whence, I presume, comes our English name, *nun*. *Moniales* and *ascetriæ* and *sanctimoniales* are common names for them in ancient writers. St. Jerom once uses the name *nonnæ*, and Palladius, of Meursius's edition[27], *vovìs*, but in Fronto-Ducæus's edition[28] it is *γραῦς*, *an old woman*. Hospinian[29] says it is an

juria vindicandas esse, decernimus. —Leg. 6. (p. 12.) Nulla vidua ..... exactionem plebis agnoscat. Simili autem devotione habeantur immunes, et si quæ se sacræ legis obsequio perpetuo dedicarunt.

[24] Ibid. l. 9. tit. 25. de Raptu Sanctimonialium, leg. 2. (t. 3. p. 197.) Si quis, non dicam rapere, sed vel attemptare matrimonii jungendi causa, sacratas virgines, vel invitas, ausus fuerit, capitali sententia feriatur.—Leg. 3. (p. 199.) Si quis dicatam Deo virginem, prodigus sui, raptor ambierit, publicatis bonis deportatione plectatur.

[25] Socrat. l. 1. c. 17. See before, s. 1. p. 398. n. 79.

[26] Ad Virg. Laps. c. 6. (t. 2. p. 311 b.) Nonne vel illum locum tabulis separatum, in quo in ecclesia stabas, recordari debuisti, ad quem religiosæ matronæ et nobiles certatim currebant, tua oscula petentes, quæ sanctiores et digniores te erant. [al. quasi sanctioris et dignioris.]

[27] Hist. Lausiac. c. 46. [al. 86.] *Περὶ τῆς ἐν Ῥώμῃ παρθένου* (Lugd. Bat. 1616. p. 108.) *Δεδώκει δὲ αὐτῷ ἀπόκρισιν ἡ νόνις, κ. τ. λ.* [Conf. Meurs. Lexic. Græcobarb. p. 368. in voce. ED.]

[28] Ap. Bibl. Patr. Gr.-Lat. s. Auctar. Ducæan. Paris. 1624. c. 65. (t. 2. p. 1008 d. 7.) *Δεδώκει δὲ αὐτῷ ἀπόκρισιν ἡ γραῦς, κ. τ. λ.*

[29] De Monachat. l. 1. c. 1. p. 3. (p. 3. ad im.) Exstat apud Hieronymum *nonnæ* vocabulum, quo id genus hominum insignitur, in Epistola ad Eustochium virginem: *Quia maritorum*, inquit, *expertæ dominatum*, &c. Apparet autem hoc verbum ab Ægyptiis in vulgi sermonem venisse. Solent enim aliquoties res ejus gentis sortiri vocabula, in qua præcipue fuerint, aut inde natæ sint. Ægyptus autem præter cæteras pro-

Egyptian name, and signifies a virgin: but St. Jerom[30] seems to extend the signification a little further, to denote indifferently widows professing chastity after a first marriage, as well as virgins; for he particularly applies it to women living in widowhood after their first husband's decease. The names *agapetæ* and *sorores* I pass over, as being rather names of reproach, and deriving their original from a scandalous abuse and unwarrantable practice of some vain and indiscreet men in the Church, of which I have given a full account in another place[31].

Some particular observations relating to the widow of the Church.

9. Concerning the widows of the Church we have not many things further to be observed distinctly, they being generally under the same laws and rules as the ecclesiastical virgins were, as to what concerned their habit, consecration, profession, maintenance, and the like. The sum of which is thus expressed in one of the canons of the first Council of Orange[32], 'that a widow having made profession of continuing in her widowhood before the bishop in the church, and having her widow's garment put on by the presbyter, ought never after to violate her promise.' That which was particular in their case was, 1st, That they must be such widows as had a long time ago lost their husbands, and lived many years a chaste unblameable life, ruling their own houses well, as the author of the Constitutions[33] expresses himself, almost in the words of the Apostle; but such widows as had but lately buried their husbands were not to be trusted, for fear their passions should one time or other prove too strong for their promise. 2dly, It

vincias monachorum gregibus abundavit ab initio et Hieronymi adhuc ætate. Quorum lingua, puto, monachos et sanctos *nonnos* fuisse vocatos: monachas et virgines *nonnas*.

[30] Ep. 22. ad Eustoch. c. 6. [al. c. 16.] (t. 1. p. 98 d.)... Maritorum expertes dominatu [al. expertæ dominatum] viduitatis præferunt libertatem. Castæ vocantur et nonnæ, et post cœnam dubiam Apostolos somniant.

[31] B. 6. ch. 2. s. 13. v. 2. p. 224.

[32] C. 27. Viduitatis servandis professionem coram episcopo in secretario habitam, imposita a presbytero veste viduali, non esse violandam. [al. indicandam.]

[33] L. 8. c. 25. (Cotel. v. 1. p. 409.) ..... Ἀλλ' εἰ μὲν ἐκ πολλοῦ ἀπέβαλε τὸν ἄνδρα, καὶ σωφρόνως καὶ ἀκατηγνώστως ἔζησε, καὶ τῶν οἰκείων ἄριστα ἐπεμελήθη, ὡς Ἰουδὶθ καὶ Ἄννα, αἱ σεμνόταται, κατατασσέσθω εἰς τὸ χηρικόν. Εἰ δὲ νεωστὶ ἀπέβαλε τὸν ὁμόζυγον, μὴ πιστευέσθω· ἀλλὰ χρόνῳ νεότης κρινέσθω· τὰ γὰρ πάθη ἔσθ' ὅτε καὶ [al. δὲ] συγγηρᾷ ἀνθρώποις, εἰ μὴ ὑπὸ κρείττονος χαλινοῦ εἰργόμεθα.

may hence be reasonably concluded, that the younger widows were generally refused by the Church, and not allowed to make any solemn profession before they were forty or fifty years old, though this term be nowhere precisely fixed. For since, as I have shewed before, virgins in some ages were not allowed to make their profession before forty, it is probable the same term was generally observed in the case of widows, or perhaps sixty required according to the rule of the Apostle. The widows that were chosen to be deaconesses in the Church, were to be fifty or sixty years of age, as I have shewed before[34] in speaking of their order; who, though they were not the widows we are now speaking of, yet being generally chosen out of them, and thence termed widows also, it may be presumed there was no great difference in point of age betwixt them. 3dly. Widows were to be such only as had been the wives of one man; that is, only once married, as the Ancients generally understand it; though Theodoret gives a different sense of the words, only excluding such as had scandalously married a second time after having divorced themselves from a former husband; which seems to be the true sense and meaning of the Apostle, as learned men[35] now understand it. 4thly, There was some difference between widows and virgins in the ceremony of their consecration, at least in the Church of Rome in the time of Gelasius. For in one of his Canonical Epistles[36], where he speaks of veiling of virgins on certain holidays, and not at other times, except in case of sickness, he peremptorily forbids the veiling of widows at any time, as contrary to custom and law, for no canon had prescribed it. Which seems to argue, that this particular ceremony was not used in their consecration. Though it came into use by the time that the *Ordo Romanus* was written: for there[37] the form of consecrating

[34] B. 2. ch. 22. s. 4. v. 1. p. 287.

[35] See b. 2. ch. 22. s. 5. v. 1. p. 288. nn 23—29.

[36] Ep. 9. ad Episc. Lucan. c. 14. [al. c. 12.] (CC. t. 4. p. 1191 c.) Devotis quoque virginibus, nisi aut in Epiphaniarum die, aut in Albis Paschalibus, aut in Apostolorum Natalitiis, sacrum minime velamen imponatur, &c.—C. 15. [al. c. 13.] (ibid. d.) Viduas autem velare pontificum nullus attentet, quod nec authoritas divina delegat, nec canonum forma præstituit.

[37] De Consecrat. Viduæ, p. 167. (ap. Bibl. Max. t. 13. p. 739 d. 3.) Vidua,.... si seipsam vult Deo dare, debet et a presbytero velari, vel etiam consecratum ab episcopo velamen de altari accipere, et ipsa sibi, non episcopus, illud debet imponere.

widows prescribes that they shall be veiled by the presbyter, or else take a veil, consecrated by the bishop, from the altar and veil themselves. But it is no wonder to find such a change as this in the Roman Church. A diligent inquirer may find many other that are more considerable, which I shall no further pursue, but here put an end to the discourse concerning the ascetics of the ancient Church.

END OF VOL. II.

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